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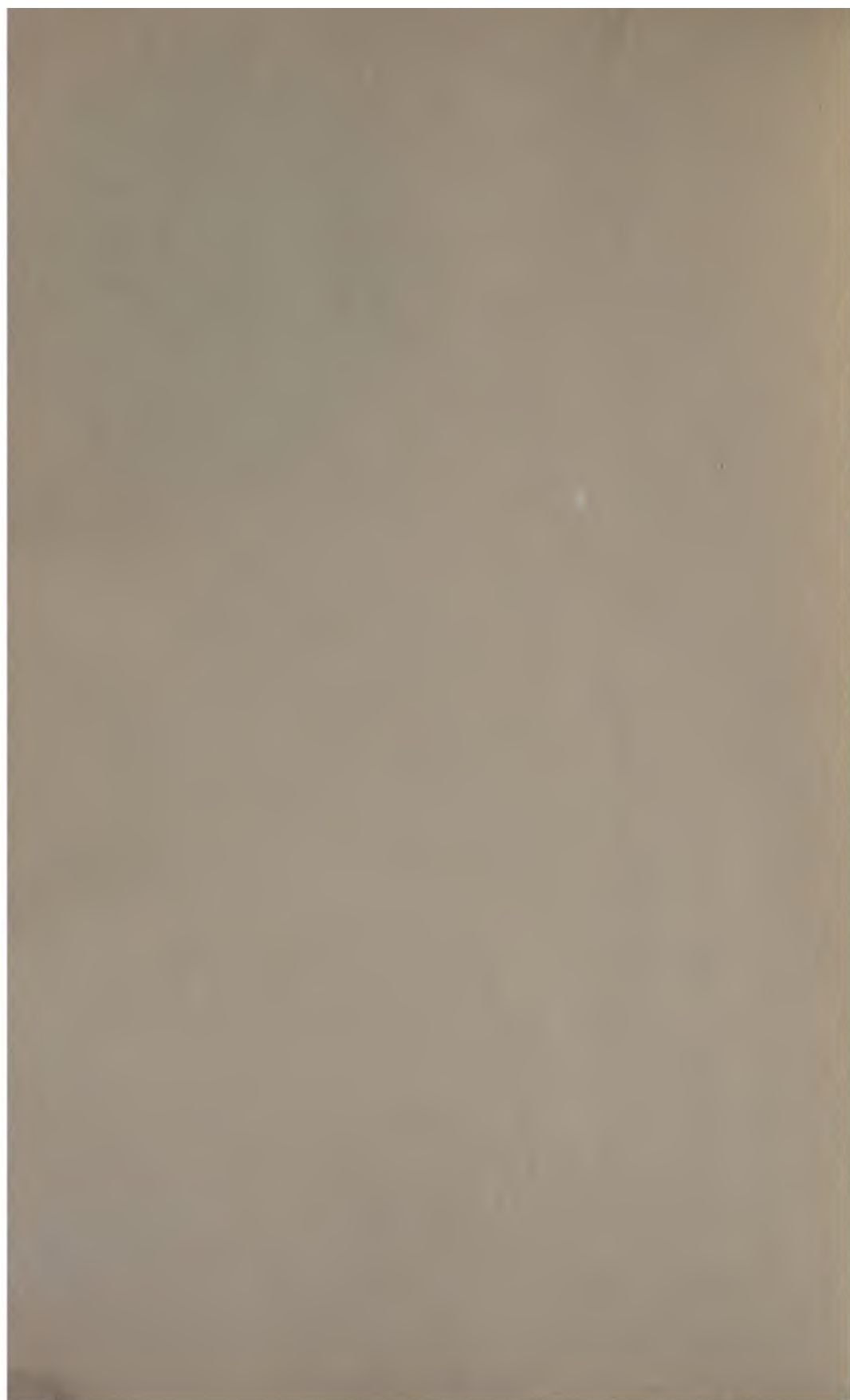
Ch 11.5

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HERTSLET'S CHINA TREATIES.

TREATIES, &c.,

BETWEEN

GREAT BRITAIN AND CHINA;

AND BETWEEN

CHINA AND FOREIGN POWERS;

AND

**ORDERS IN COUNCIL, RULES, REGULATIONS,
ACTS OF PARLIAMENT, DECREES, &c.,**

AFFECTING

BRITISH INTERESTS IN CHINA.

IN FORCE ON THE

1st JANUARY, 1908.

Third Edition:

Revised, under the Superintendence of the Librarian of the Foreign Office,

BY

GODFREY E. P. HERTSLET,

WITH THE ASSISTANCE OF

EDWARD PARKES.

VOL. I.

LONDON:

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1908

1908

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EXTRACT FROM THE PREFACE TO THE EDITION OF 1896.

THE publication of the present collection of Treaties and other engagements, under which the trade and relations of Foreign Countries with China are conducted, has been undertaken, by special request, in order to meet a requirement long felt, but which is more particularly needed at the present time.

In May, 1877, I published, in a small volume of 250 pages, a collection of the Treaties which had been concluded by this Country with China, between the years 1842 and 1860, together with a short Abstract of the Contents of each of the Commercial Treaties which other Foreign Nations had also concluded with China, and which were then in force. Various Orders in Council and other Documents affecting British Interests in China, were also added to the collection.

In August of the same year (1877), Mr. W. F. Mayers, Chinese Secretary to Her Britannic Majesty's Legation at Peking, also published a similar Work, in which he gave, *in extenso*, so far as it was deemed necessary, the Treaties which China had concluded with Foreign Powers; but this Work has long since been out of print, and as many of these old Treaties have been revised, and many new ones have been concluded by China with other Foreign Nations during the last 18 years, the necessity for a complete Work, containing all the Treaties which China has entered into with Foreign Powers up to the present date, has been widely felt, and it is with the object of supplying that want that the publication of the present Work has been undertaken.

With a view to making the Work as complete as possible, some few Treaties which have been replaced by later ones have been inserted, by request, and some of the earlier Russian Treaties are also given, as having an historical interest.

The Convention concluded between Great Britain and China on the 5th March, 1866, to regulate the Engagement of Chinese Emigrants by British and French Subjects, and the Supplementary Commercial Convention,

~~Ch 11.5~~
✓

Ch 11.5 (1')



*Substituted for a copy list
(Sheldon fund)
(2 vols)*

N.B.—Although assistance is given towards this compilation from public funds on the ground of its general utility, it must be understood that it is not an official publication, and that the Editors are responsible for its contents.



PREFACE TO THIRD EDITION.

IN compiling the present Edition I have adhered to the system adopted by my father, the late Sir Edward Hertslet, of assigning to each Document a distinctive number; and have retained, as being of historical interest, certain Treaties which are no longer regarded as being in force.

Two additional Maps are given, to illustrate the British Treaties respecting the extension of Hong Kong Territory and the amendment of the Burmah Frontier.

The engagements entered into between Foreign Powers, and between Great Britain and Foreign Powers, in recent years, respecting the integrity of China, &c., will be found in Part III of this Volume.

The Edition of 1896 was out of print within a few months after it was issued; and important changes have taken place during the last twelve years, rendering a new Edition necessary.

Many additional Ports and Places have been opened to Foreign Trade, and the Import Tariff of 1858 has been replaced by the New Tariff drawn up in 1902.

In addition to the Treaty Ports, Ports of Call, and Places open to British Trade, being underlined in the Map (facing page 1), a list, giving a reference to the authority under which each was opened, will be found at the end of Volume 2, Part V.

GODFREY E. P. HERTSLET.

FOREIGN OFFICE,

1st January, 1908.

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GENERAL INDEX

EXTRACT FROM THE PREFACE TO THE EDITION OF 1896.

THE publication of the present collection of Treaties and other engagements, under which the trade and relations of Foreign Countries with China are conducted, has been undertaken, by special request, in order to meet a requirement long felt, but which is more particularly needed at the present time.

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In August of the same year (1877), Mr. W. F. Mayers, Chinese Secretary to Her Britannic Majesty's Legation at Peking, also published a similar Work, in which he gave, *in extenso*, so far as it was deemed necessary, the Treaties which China had concluded with Foreign Powers; but this Work has long since been out of print, and as many of these old Treaties have been revised, and many new ones have been concluded by China with other Foreign Nations during the last 18 years, the necessity for a complete Work, containing all the Treaties which China has entered into with Foreign Powers up to the present date, has been widely felt, and it is with the object of supplying that want that the publication of the present Work has been undertaken.

With a view to making the Work as complete as possible, some few Treaties which have been replaced by later ones have been inserted, by request, and some of the earlier Russian Treaties are also given, as having an historical interest.

The Convention concluded between Great Britain and China on the 5th March, 1866, to regulate the Engagement of Chinese Emigrants by British and French Subjects, and the Supplementary Commercial Convention,

signed between the British and Chinese Plenipotentiaries at Peking on the 23rd October, 1869, are also given, for although neither of these Instruments was ratified, they still form the subject of occasional reference in Correspondence with the Chinese Authorities.

Where clauses of different Treaties are precisely the same, or their wording practically identical, it has been deemed superfluous to reproduce both texts, and a reference is therefore only given, in such cases, to some other Treaty in which the same clause appears.

By Article 24 of the Treaty of Tientsin of 26th June, 1858, British Subjects trading with China are placed upon the footing of the "most-favoured-nation," with regard to Import and Export Duties; and by Art. 54 of the same Treaty, it is stipulated that "the British Government and its Subjects will be allowed free and equal participation in all privileges, immunities, and advantages that may have been, or may be hereafter granted by His Majesty the Emperor of China to the Government or Subjects of any other nation."

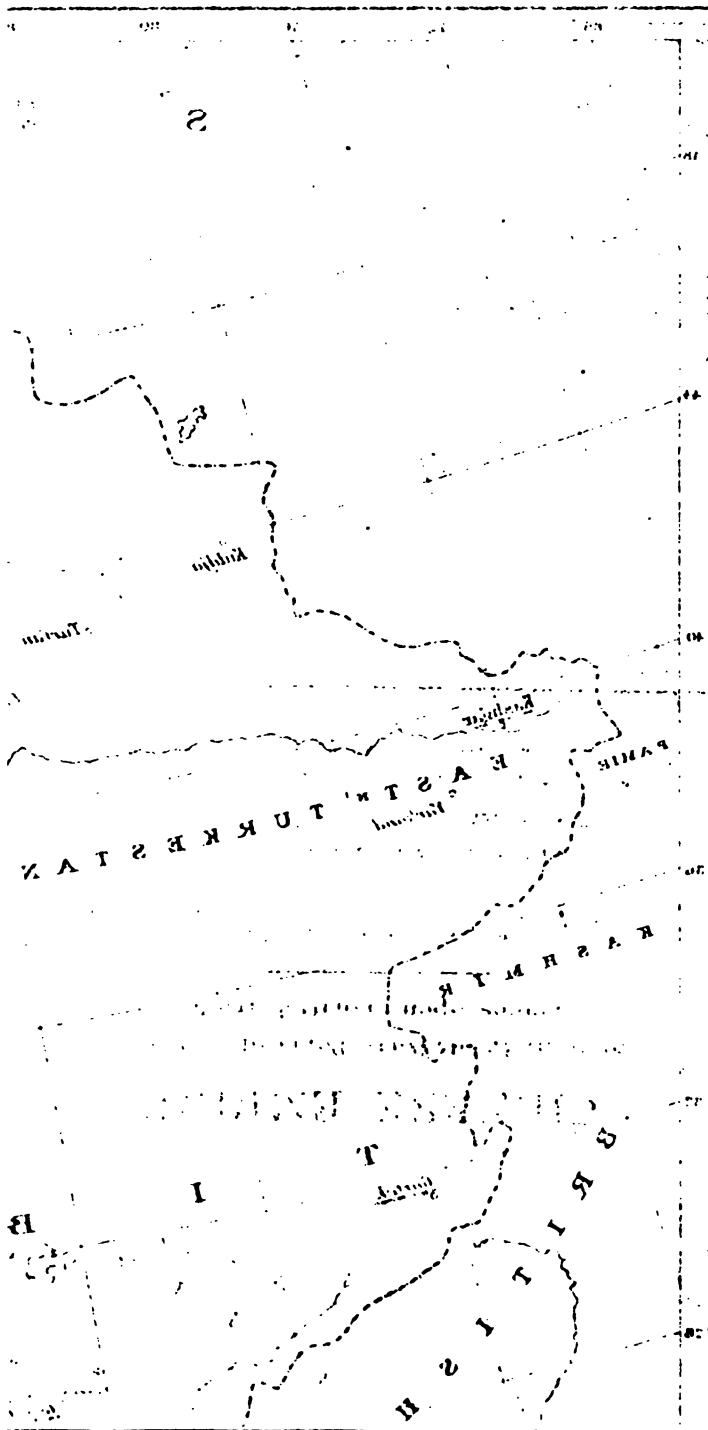
But great difficulty has hitherto been experienced, when important questions have arisen with respect to the rights and privileges of British Subjects in China, in ascertaining, readily, in what respect, if any, the wording of the Articles of the English Treaties bearing upon the subject in question has differed from the wording of similar Articles in Treaties which China has concluded with other Foreign Powers; and to avert this difficulty in future, a *General Index* has been prepared to all the Treaties which China has concluded with this Country and all other Foreign Powers; and so arranged that the clauses of the various Treaties on any given subject can, at once, be referred to and examined, in order to ascertain in what respect the various versions differ.

Each Treaty or other Document has a distinctive number given to it by which it is known and referred to in other Documents throughout the Work.

A Map is inserted (facing page 1), showing (approximately) the boundaries between China and the adjacent countries, and on it the Chinese Ports and Places open to Trade are underlined in red ink.

EDWARD HERTSLET.

FOREIGN OFFICE,
1st January, 1896.



CHINA TREATIES.

TREATIES, &c., BETWEEN GREAT BRITAIN AND CHINA, 1842—1907.

THE following Treaties of Commerce, &c., were concluded between Great Britain and China between 1842 and 1907 :—

No. Treaty.
1842.

1. Aug. 29.—Treaty of Peace, Friendship, Commerce, &c. (p. 7). *Confirmed by Art. 1 of the Treaty of 26th June, 1858 (No. 6).*

Declaration.
1843.

2. June 26.—Declaration respecting Transit Dues (p. 12). *Amended by Art. 28 of the Treaty of 26th June, 1858 (No. 6).*

Regulations.
1843.

3. July.—General Regulations for British Trade at the Ports of Canton, Amoy, Foochowfoo, Ningpo, and Shanghai (p. 13). *Abrogated by Art. 1 of the Treaty of 26th June, 1858 (No. 6).*

Supplementary
Treaty.
1843.

- Oct. 8.—Supplementary Treaty of Commerce. *Abrogated by Art. 1 of the Treaty of 26th June, 1858 (No. 6).*

GREAT BRITAIN AND CHINA.

[List of Treaties.]

No. Exchange
of Notes.
1898.

23. Feb. 9-11.—Exchange of Notes respecting the Non-alienation of the Yang-tsze Region (p. 119).

Convention.
1898.

24. June 9.—Convention respecting an Extension of Hong Kong Territory (p. 120).

Convention.
1898.

25. July 1.—Convention respecting Weihaiwei (p. 122).

Final
Protocol.
1901.

26. Sept. 7.—Final Protocol between the Foreign Powers and China for the Resumption of Friendly Relations (p. 123). (See Nos. 27, 28, and 31.)

Agreement.
1902.

27. Aug. 29.—Agreement between the Special Commissioners respecting the New Chinese Import Tariff (p. 148). *Tariff and Rules annexed.*

Treaty.
1902.

28. Sept. 5.—Treaty respecting Commercial Relations, (Shanghai) &c. (p. 171) [Mackay Treaty].

Convention.
1904.

29. May 13.—Convention respecting the employment of Chinese Labour in British Colonies and Protectorates (p. 189).

Convention.
1905.

30. May 23.—Convention respecting the junction of the Chinese and Burmese Telegraph Lines (p. 195). *Revision of Convention of 6th September, 1894 (No. 21).*

GREAT BRITAIN AND CHINA.

[List of Treaties.]

No. Convention.
1846.

4. April 4.—Convention relating to the entrance (Bocca Tigris.) of British Subjects into Canton, the evacuation of Chusan, &c. (p. 15). *Confirmed by Art. 54 of the Treaty of 26th June, 1858 (No. 6).*

Agreement.
1847.

5. April 6.—Agreement relating to the entrance of British Subjects into Canton; the Trade at Honan; and the erection of Churches at the Ports of Trade (p. 17). *Confirmed by Art. 54 of the Treaty of 26th June, 1858 (No. 6).*

Treaty.
1858.

6. June 26.—Treaty of Peace, Friendship, and Commerce (Tientsin.) (p. 18). *Confirmed, subject to certain modifications, by Art. 7 of the Convention of 24th October, 1860 (No. 8), and by Agreement of 13th September, 1876 (No. 12).*
The Separate Article relating to the payment of Chinese Indemnity was annulled by Art. 3 of the Convention of 24th October, 1860 (No. 8).

Arrangement.
1858.

- Oct. 8.—Arrangement respecting the Residence of the British Representative in China. *Cancelled by Art. 2 of the Convention of 24th October, 1860 (No. 8).*

Agreement.
1858.

7. Nov. 8.—Agreement containing Rules of Trade, with the Tariff of Imports and Exports, Transit Dues, &c. (p. 35).

Convention.
1860.

8. Oct. 24.—Convention of Peace and Friendship (Peking.) (p. 48).

GREAT BRITAIN AND CHINA.

[List of Treaties.]

No. Agreement.
1865.

9. Oct. 27.—Agreement respecting Customs Seizures at Shanghai (p. 53). *Superseded by the Joint Investigation Rules of 31st May, 1868 (No. 127).*

Convention.
1866.

- 10.* Mar. 5.—Convention to regulate the Engagement of Chinese Emigrants by British and French Subjects (p. 55).

Supplementary
Convention.
1869.

- 11.* Oct. 23.—Supplementary Convention of Commerce, &c. (p. 61).†

Agreement.
1876.

12. Sept. 13.—Agreement for the Settlement of the Yunnan Case, Official Intercourse, and Trade between the Two Countries (p. 73). (See Nos. 14 and 18.)

Memorandum.
1880.

13. Dec. 10.—Agreement respecting Personal Relations and Official Intercourse between British Consular Officers and Chinese Provincial Authorities (p. 80).

Additional
Article.
1885.

14. July 18.—Additional Article to the Chefoo Agreement (London.) (No. 12). Traffic in Opium (p. 84).

Convention.
1886.

15. July 24.—Convention relative to Burmah and Tibet (p. 88). (See Nos. 20 and 22.)

* Not ratified.

† See "Hansard's Debates." Vol. 202 (1870). Page 1624.

GREAT BRITAIN AND CHINA.

[List of Treaties.]

No. Agreement.
1886.

16. Sept. 11.—Agreement respecting the Opium Trade at Hong Kong (p. 90).

Convention.
1890.

17. March 17.—Convention relating to Sikkim and Tibet (p. 92). (See Nos. 19 and 32.)

Additional
Article.
1890.

18. March 31.—Additional Article to the Chefoo Agreement (No. 12). Chungking to be opened to Trade (p. 94).

Regulations.
1898.

19. Dec. 5.—Regulations regarding Trade, Communications, and Pasturage, appended to the Sikkim-Tibet Convention of 1890 (No. 17), and for opening Yatung to Trade (p. 96). (See No. 32.)

Convention.
1894.

20. March 1.—Convention for the Execution of the Convention of 1886 (No. 15), respecting Boundaries, &c. Burmah and China (p. 99). *Modified by Agreement of 4th February, 1897.* (No. 22).

Convention.
1894.

21. Sept. 6.—Convention respecting the Junction of the Chinese and Burmese Telegraph Lines (p. 110). *Revised by the Convention of 23rd May, 1905.* (No. 30.)

Agreement.
1897.

22. Feb. 4.—Agreement modifying the Convention of 1894 (No. 20) relative to Boundaries, &c. Burmah and China (p. 113).

No. 1.]

GREAT BRITAIN AND CHINA.

[Aug. 29, 1842.

[Commerce, &c.]

Nanking.

(No. 1.) *TREATY of Peace, Friendship, Commerce, Indemnity, &c., between Great Britain and China. Signed at Nanking, 29th August, 1842.*

[Signed also in Chinese.]

[Ratifications exchanged at Hong Kong, June 26, 1843.]

[Renewed and confirmed by Art. I of the Treaty of 26th June, 1858 (No. 6).]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, being desirous of putting an end to the misunderstandings and consequent hostilities which have arisen between the two countries, have resolved to conclude a Treaty for that purpose, and have therefore named as their Plenipotentiaries, that is to say :—

Her Majesty the Queen of Great Britain and Ireland, Sir Henry Pottinger, Bart., a Major-General in the service of the East India Company, &c.;

And His Imperial Majesty the Emperor of China, the High Commissioners Keying, a Member of the Imperial House, a guardian of the Crown Prince, and General of the garrison of Canton; and Elepoo, of the Imperial Kindred, graciously permitted to wear the insignia of the first rank, and the distinction of a peacock's feather, lately Minister and Governor-General, &c., and now Lieutenant-General Commanding at Chapoo.*

Who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

Peace and Friendship. Protection of Persons and Property.

There shall henceforward be peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of China, and between their respective subjects, who shall enjoy full security and protection for their persons and property within the dominions of the other.

[See also Treaty, 26th June, 1858 (No. 6), Art. XVIII.]

ARTICLE II.

Canton, Amoy, Foochow, Ningpo, and Shanghai opened to British Subjects and their Trade.

His Majesty the Emperor of China agrees, that British subjects, with their families and establishments, shall be allowed to reside, for the purpose of carrying on their mercantile pursuits,

* Although only two Chinese Plenipotentiaries are here named, the Treaty was in fact signed by three.

Aug. 29, 1842.]

GREAT BRITAIN AND CHINA.

[No. 1

Nanking.

[Commerce, &c.]

without molestation or restraint, at the cities and towns of Canton, Amoy, Foochowfoo, Ningpo, and Shanghai.

[See also Convention of 4th April, 1846 (No. 4), and Agreement of 6th April, 1847 (No. 5), respecting the entrance of British Subjects into Canton.]

*Appointment of British Superintendents or Consuls at those places ;
their Duties.*

And Her Majesty the Queen of Great Britain, &c., will appoint Superintendents, or Consular Officers, to reside at each of the above named cities or towns, to be the medium of communication between the Chinese authorities and the said merchants, and to see that the just duties and other dues of the Chinese Government, as hereafter provided for, are duly discharged by Her Britannic Majesty's subjects.

[Amended. See Articles VII and XI of Treaty of 26th June, 1858 (No. 6).]

ARTICLE III.

Cession of Hong Kong to Great Britain.

It being obviously necessary and desirable that British subjects should have some port at which they may careen and refit their ships, when required, and keep stores for that purpose, His Majesty the Emperor of China cedes to Her Majesty the Queen of Great Britain, &c., the Island of Hong Kong, to be possessed in perpetuity by Her Britannic Majesty, her heirs and successors, and to be governed by such laws and regulations as Her Majesty the Queen of Great Britain, &c., shall see fit to direct.

[See also Article VI of the Convention of 24th October, 1860 (No. 8); and the Convention of 9th June, 1898 (No. 24), respecting an extension of Hong Kong Territory.]

ARTICLE IV.

*Indemnity. Payment by China of 6,000,000 dollars for value of
Opium delivered up as a Ransom for British Subjects.*

The Emperor of China agrees to pay the sum of 6,000,000 dollars, as the value of the Opium which was delivered up at Canton in the month of March, 1839, as a ransom for the lives of Her Britannic Majesty's Superintendent and subjects, who had been imprisoned and threatened with death by the Chinese High Officers.

[In 1812 papers were laid before Parliament relating to the moneys received from the Chinese Authorities, in the City of Canton, under an agreement entered into with Her Majesty's Plenipotentiary, on the 27th May, 1841; and in 1858 further papers were laid before Parliament upon the same subject.]

ARTICLE V.

Abolition of Privileges of Hong Merchants at Ports of residence of British Merchants. Payment by China of 3,000,000 dollars for Debts due to British Subjects by certain Hong Merchants.

The Government of China having compelled the British merchants trading at Canton to deal exclusively with certain Chinese merchants, called Hong merchants (or Co-Hong), who had been licensed by the Chinese Government for that purpose, the Emperor of China agrees to abolish that practice in future at all ports where British merchants may reside, and to permit them to carry on their mercantile transactions with whatever persons they please; and His Imperial Majesty further agrees to pay to the British Government the sum of 3,000,000 dollars, on account of debts due to British subjects by some of the Hong merchants or Co-Hong, who have become insolvent, and who owe very large sums of money to subjects of Her Britannic Majesty.

ARTICLE VI.

Indemnity. Payment by China of 12,000,000 dollars for Expenses of British Expedition to demand Redress. Deduction of ransom received by British Forces for Chinese towns.

The Government of Her Britannic Majesty having been obliged to send out an expedition to demand and obtain redress for the violent and unjust proceedings of the Chinese High Authorities towards Her Britannic Majesty's Officers and subjects, the Emperor of China agrees to pay the sum of 12,000,000 dollars, on account of the expenses incurred; and Her Britannic Majesty's Plenipotentiary voluntarily agrees, on behalf of Her Majesty, to deduct from the said amount of 12,000,000 dollars, any sums which may have been received by Her Majesty's combined forces, as ransom for cities and towns in China, subsequent to the 1st day of August, 1841.

ARTICLE VII.

Periods for payment to be made by China of Indemnities of 21,000,000 dollars.

It is agreed, that the total amount of 21,000,000 dollars, described in the 3 preceding Articles, shall be paid as follows:—
6,000,000 immediately.

6,000,000 in 1843; that is, 3,000,000 on or before the 30th of the month of June, and 3,000,000 on or before the 31st of December.

5,000,000 in 1844; that is, 2,500,000 on or before the 30th day of June, and 2,500,000 on or before the 31st of December.

4,000,000 in 1845; that is, 2,000,000 on or before the 30th of June, and 2,000,000 on or before the 31st of December.

Aug. 29, 1842.]

GREAT BRITAIN AND CHINA.

[No. 1.

Nanking.

[Commerce, &c.]

Interest on Arrears.

And it is further stipulated, that interest, at the rate of 5 per cent. per annum, shall be paid by the Government of China on any portion of the above sums that are not punctually discharged at the periods fixed.

ARTICLE VIII.*

All British Subjects (European and Indian) confined in China to be released.

ARTICLE IX.*

Amnesty. Release and Indemnity to Chinese formerly in British employ.

ARTICLE X.

Tariff to be issued of Import, Export, and Transit Duties.

His Majesty the Emperor of China agrees to establish at all the ports which are, by Article II of this Treaty, to be thrown open for the resort of British merchants, a fair and regular tariff of export and import customs and other dues, which tariff shall be publicly notified and promulgated for general information.

[See Treaty, 26th June, 1858 (No. 6), Arts. XXVI and XXVIII.]

Transit Duties on British Goods conveyed by Chinese into the Interior.

And the Emperor further engages, that when British merchandise shall have once paid at any of the said ports the regulated customs and dues, agreeable to the tariff to be hereafter fixed, such merchandise may be conveyed by Chinese merchants to any province or city in the interior of the Empire of China, on paying a further amount as transit duties, which shall not exceed per cent. on the tariff value of such goods.

[A Declaration was signed on the 26th June, 1843, respecting Transit Dues, (No. 2), which was amended by Article XXVIII of the Treaty of 26th June, 1858 (No. 6), and by the Rules of Trade (§ 7) and Tariff of 8th November, 1858 (No. 7). See also Agreement, 13th September, 1876 (No. 12), Additional Article, 18th July, 1885, § III (No. 14) (Opium), Tariff Agreement of 29th August, 1902 (No. 27), and Treaty of 5th September, 1903 (No. 28).

ARTICLE XI.

Correspondence between British and Chinese Authorities.

It is agreed that Her Britannic Majesty's Chief High Officer in China shall correspond with the Chinese High Officers, both at

* See "Hartlett's Commercial Treaties." Vol 6. Page 231.

the capital and in the provinces, under the term "communication"

照會

; the subordinate British Officers and Chinese High Officers in the provinces, under the terms "statement"

申陳

on the part of the former, and on the part of the

latter, "declaration" 割行; and the subordinates of both

countries on a footing of perfect equality: merchants and others not holding official situations, and therefore not included in the

above, on both sides, to use the term "representation" 稟明

in all papers addressed to, or intended for the notice of, the respective Governments.

[See also Agreements of 13th September, 1876, and 10th December, 1880 (Nos. 12 and 13).]

ARTICLE XII.

*Evacuation of Nanking and Grand Canal by British Forces.—
Kulangsu and Chusan to be held by British Forces until Settlement of Money Payments.*

On the assent of the Emperor of China to this Treaty being received, and the discharge of the first instalment of money, Her Britannic Majesty's forces will retire from Nanking and the Grand Canal, and will no longer molest or stop the trade of China. The military post at Chinhai will also be withdrawn; but the Islands of Kulangsu, and that of Chusan, will continue to be held by Her Majesty's forces until the money payments, and the arrangements for opening the ports to British merchants, be completed.

[Kulangsu was evacuated by the British Troops on the 22nd March, 1845. See also Convention of 4th April, 1846, for the British Evacuation of Chusan, &c. (No. 4).]

ARTICLE XIII.

Ratifications. Provisions of Treaty to take effect in the meantime.

The ratification of this Treaty by Her Majesty the Queen of Great Britain, &c., and His Majesty the Emperor of China, shall be exchanged as soon as the great distance which separates England from China will admit; but, in the meantime, counterpart copies of it, signed and sealed by the Plenipotentiaries, on behalf of their respective Sovereigns, shall be mutually delivered, and all its provisions and arrangements shall take effect.

Done at Nanking, and signed and sealed by the Plenipotentiaries on board Her Britannic Majesty's ship "Cornwallis,"

June 26, 1843.]

GREAT BRITAIN AND CHINA.

[No. 2.

[Transit Dues.]

this 29th day of August, 1842; corresponding with the Chinese date, 24th day of the 7th month, in the 22nd year of Taoukwang.

(L.S.) HENRY POTTINGER.

Her Majesty's Plenipotentiary.

Seal of the
Chinese High
Commissioner.

Signature of
3rd Chinese
Plenipotentiary.

Signature of
2nd Chinese
Plenipotentiary.

Signature of
1st Chinese
Plenipotentiary.

(No. 2.) *DECLARATION respecting Transit Duties. Signed at Hong Kong, 26th June, 1843.*

[Signed also in Chinese.]

[This Declaration was amended by the Treaty of 26th June, 1858, Article XXVIII (No. 6). See also Convention, 13th September, 1876, § III (No. 12), Additional Article, 18th July, 1885 (No. 14), and Treaty of 5th September, 1902 (No. 28), Article VIII.]

Limitation of Duties to existing Amount.

WHEREAS by Article X of the Treaty between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, concluded and signed on board Her Britannic Majesty's ship "Cornwallis," at Nanking, on the 29th day of August, 1842 (No. 1), corresponding with the Chinese date 24th day of the 7th month, in the 22nd year of Taoukwang, it is stipulated and agreed that His Majesty the Emperor of China shall establish at all the ports which by Article II of the said Treaty are to be thrown open for the resort of British merchants, a fair and regular Tariff of export and import customs and other dues, which Tariff shall be publicly notified and promulgated for general information; and further, that when British merchandise shall have once paid, at any of the said ports, the regulated customs and dues, agreeably to the Tariff to be hereafter fixed, such merchandise may be conveyed by Chinese merchants to any province or city in the interior of the Empire of China, on paying a further amount of duty as transit duty;

[Amended by Articles XXVI, XXVII, and XXVIII of the Treaty of 26th June, 1858 (No. 6).]

And whereas the rate of Transit duty to be so levied was not fixed by the said Treaty;

Now therefore, the undersigned Plenipotentiaries of Her Britannic Majesty, and of His Majesty the Emperor of China, do

[Trade Regulations.]

hereby, on proceeding to the exchange of the Ratifications of the said Treaty, agree and declare, that the further amount of duty to be so levied on British merchandise, as transit duty, shall not exceed the present rates, which are upon a moderate scale; and the Ratifications of the said Treaty are exchanged subject to the express declaration and stipulation herein contained.

[Amended by Rule 7 of the Agreement of 8th November, 1858 (No. 7).]

In witness whereof the respective Plenipotentiaries have signed the present Declaration, and have affixed thereto their respective seals.

Done at Hong Kong, the 26th day of June, 1843, corresponding with the Chinese date, Taoukwang 23rd year, 5th month, and 29th day.

(L.S.) HENRY POTTINGER.

[Seal and Signature of the Chinese Plenipotentiary.]

TARIFF OF DUTIES ON THE FOREIGN TRADE WITH CHINA.

Established in pursuance of Article X of the Treaty of 29th August, 1842 (No. 1).

[Amended 8th November, 1868 (No. 7), in accordance with Article XXVI of the Treaty of 26th June, 1858 (No. 6). See also Tariff Agreement of 29th August, 1902 (No. 27).]

(No. 3.) *GENERAL REGULATIONS for the British Trade at the Five Ports of Canton, Amoy, Foochowfoo, Ningpo, and Shanghai.—July, 1843.*

These Regulations were reprinted intact, and formed part of the Supplemental Treaty of 8th October, 1843, which Treaty was abrogated by Article I of the Treaty of 26th June, 1858 (No. 6); they were however amended, and embodied in the Treaty of 26th June, 1858, as follows:—

Regulation 1.—Pilots.

[As amended, formed Article XXXV of the Treaty of 26th June, 1858 (No. 6).]

Regulation 2.—Custom-House Guards.

[As amended, formed Article XXXVI of the Treaty of 26th June, 1858 (No. 6).]

Regulation 3.—Masters of Ships reporting themselves on Arrival.

[As amended, formed Articles XXX and XXXVII of the Treaty of 26th June, 1858 (No. 6).]

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GREAT BRITAIN AND CHINA.

[No. 3.]

[Trade Regulations.]

Regulation 4.—Commercial Dealings between English and Chinese Merchants.

[Amended by Articles XXII and XXIII of the Treaty of 26th June, 1858 (No. 6).]

Regulation 5.—Tonnage Dues.

[Amended by Articles XXIX, XXX, and XXXI of the Treaty of 26th June, 1858 (No. 6).]

Regulation 6.—Import and Export Dues.

[Amended by Articles XXV—XXVII, XLI, XLII, XLIII, XLIV, and XLV of the Treaty of 26th June, 1858 (No. 6), and Tariff of 8th November, 1858 (No. 7). See also Tariff Agreement of 29th August, 1902 (No. 27).]

Regulation 7.—Examination of Goods at Custom-Houses.

[Amended by Articles XXXVII, XXXVIII, XXXIX, XL, XLI, XLII, XLIII, XLIV, and XLV of the Treaty of 26th June, 1858 (No. 6).]

Regulation 8.—Manner of paying the Duties.

[Amended by Articles XXV, XXXIII, and XLI of the Treaty of 26th June, 1858 (No. 6).]

Regulation 9.—Weights and Measures.

[Amended by Article XXXIV of the Treaty of 26th June, 1858 (No. 6). See also Agreement of 8th November, 1858 (No. 7), Rule 4.]

Regulation 10.—Lighters or Cargo Boats.

[Amended by Articles XIV and XXXI of the Treaty of 26th June, 1858 (No. 6).]

Regulation 11.—Trans-shipment of Goods.

[Amended by Article XL of the Treaty of 26th June, 1858 (No. 6).]

Regulation 12.—Subordinate Consular Officers.

[See Article VII of Treaty of 26th June, 1858 (No. 6).]

Regulation 13.—Disputes between British Subjects and Chinese.

[Amended by Article XXXI of the Treaty of 26th June, 1858 (No. 6).]

Regulation 14.—British Government Cruisers anchoring within the Ports.

[Amended by Article LII of the Treaty of 26th June, 1858 (No. 6).]

Regulation 15.—On the Security to be given for British Merchant Vessels.

[Amended by Article XLI of the Treaty of 26th June, 1858 (No. 6).]

No. 4.]

GREAT BRITAIN AND CHINA. [April 4, 1846.

[Admission of Foreigners into Canton, &c.] Bocca Tigris.

(No. 4.) *CONVENTION between Great Britain and China relative to the admission of Foreigners into the City of Canton, and to the Evacuation of the Island of Chusan by the British Forces. Signed at Bocca Tigris, 4th April, 1846.*

[This Convention was confirmed by Art. LIV of the Treaty of 26th June, 1858 (No. 6).]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, having, with a view to the settlement of all questions between the two countries, and for the preservation of mutual harmony and good understanding, appointed as their Plenipotentiaries, that is to say, Her Majesty the Queen of Great Britain and Ireland, Sir John Francis Davis, a Baronet of the United Kingdom, Governor and Commander-in-Chief of Her Majesty's colony of Hong Kong, &c., and His Majesty the Emperor of China, the High Commissioner Keying, a Member of the Imperial House, a Cabinet Councillor, a Guardian of the Crown Prince, and Governor-General of the Two Kwang Provinces;

The said Plenipotentiaries respectively have, in pursuance of the above-mentioned ends, and after communicating to each other their respective full powers, and finding them to be in good and due form, agreed upon and concluded the following Articles:

ARTICLE I.

Admission of Foreigners into City of Canton.

His Majesty the Emperor of China having, on his own part, distinctly stated that, when in the course of time mutual tranquillity shall have been insured, it will be safe and right to admit foreigners into the city of Canton, and the local authorities being for the present unable to coerce the people of that city, the Plenipotentiaries on either side mutually agree that the execution of the above measure shall be postponed to a more favourable period; but the claim of right is by no means yielded or abandoned on the part of Her Britannic Majesty.

[See Agreement of 6th April, 1847 (No 5).]

ARTICLE II.

Liberty and Protection of British Subjects outside Canton.

British subjects shall in the meanwhile enjoy full liberty and protection in the neighbourhood, on the outside of the city of Canton, within certain limits fixed according to previous Treaty, comprising 70 localities of which the names were communicated by the district magistrates to the British Consul on the 21st of

April 4, 1846.]

GREAT BRITAIN AND CHINA.

[No. 4.]

Bocca Tigris.

[Evacuation of Chusan.]

November, 1845. They may likewise make excursions on the two sides of the river, where there are not numerous villages.

[These localities were where the Proclamation was to be posted. Consul Macgregor stated (26th Nov., 1845) that "the places were not in any way to be considered as indication of the limits set to the excursion of foreigners, since such reasonable space was stipulated to be allowed to them as they might conveniently go over in one day, out and home, within the pale of their respective jurisdiction." (Sir J. Davis, No. 172, 3rd Dec., 1845.)]

ARTICLE III.

British Evacuation of Chusan. The Island never to be ceded to any other Foreign Power.

It is stipulated, on the part of His Majesty the Emperor of China, that on the evacuation of Chusan by Her Britannic Majesty's forces, the said island shall never be ceded to any other Foreign Power.

[Chusan was finally evacuated on the 25th July, 1846.]

ARTICLE IV.

British Protection of Chusan in event of hostile attack.

Her Britannic Majesty consents, upon her part, in the case of the attack of an invader, to protect Chusan and its dependencies, and to restore it to the possession of China as of old; but as this stipulation proceeds from the friendly alliance between the two nations, no pecuniary subsidies are to be due from China on this account.

ARTICLE V.

Immediate Evacuation of Chusan by British Troops.

Upon the receipt of the sign-manual of His Majesty the Emperor of China to these presents, it is agreed, on account of the distance which separates the two countries, that the Island of Chusan shall be immediately delivered over to the Chinese authorities; and on the ratification of the present Convention by Her Britannic Majesty, it shall be mutually binding on the High Contracting Powers.

Done at Bocca Tigris, and signed and sealed by the Plenipotentiaries, this 4th day of April, 1846, corresponding with the Chinese date Taoukwang, 26th year, 3rd moon, 9th day.

(L.S.) J. F. DAVIS.
(L.S.) KEYING.

(No. 5.) *AGREEMENT of the Chinese Commissioner, Keying, relative to the Entrance of British Subjects into Canton; the Trade at Honan; and the Erection of Churches at the Ports of Trade.—6th April, 1847.*

[This Agreement was confirmed by Article LIV of the Treaty of 26th June, 1858 (No. 6).]

(Translation.)

KEYING, High Imperial Commissioner, &c., sends the following reply to each of the proposed arrangements which were made yesterday officially:

Entrance of British Subjects into Canton.

1. The intention of returning my visit in the city is excellent, but the time for it ought still somewhat to be delayed. It is therefore now agreed that two years from this day's date British officers and people shall have free entrance into the city.

Punishment of Insults to Englishmen.

2. Whenever Englishmen go on shore to walk, and meet with insult, the local authorities must investigate the matter and punish [the aggressors]; and the space of one day's journey, just as at Shanghai, is also assigned at Canton [for such excursions].

3. The criminals who in October last year wounded some Englishmen have, though pursued, not yet been taken. As, however, vigilant search is made at present after them, they will soon be apprehended.

I have, on account of the assault made in March, frequently sent officers to Fuhshan to investigate and manage this affair. The deputed mandarins now report that they have already traced [the aggressors], and several of them will be caught within two or three days, and sent to the provincial city to be judged. One of our mandarins will then settle as to the place where they are to receive punishment, with an officer of your honourable country, that it may be done without loss of time.

Trade at Honan.

4. The territory of Honan is a place for trade, the renting of warehouses or of ground for building houses is therefore fully conceded. This will be managed properly by the Consul and the local authorities in accordance with the provisions of the Treaty.*

Erection of Churches at Ports of Trade.

5. According to the American and French Treaties, the building of churches in the Five Ports† is conceded, and it is therefore agreed

* See Treaty, 26th June, 1858 (No. 6), Art. XI.

† See Treaty, 29th August, 1842 (No. 1), Art. II.

June 26, 1858.]

GREAT BRITAIN AND CHINA.

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Tientsin.

[Commerce, &c.]

upon that a spot in the neighbourhood of the foreign factories, outside of them, may be rented for erecting one.

[See also Treaty of 26th June, 1858 (No. 6), Articles XI and XII.]

Whampoa Cemetery.

It is a laudable act to rent ground at Whampoa for making graves, and likewise in conformity with the Treaty. The Consul in conjunction with the local authorities will settle this matter properly according to the Treaty.

Building of a Bridge, &c., at Whampoa.

6. I have already given orders to the old Hong merchant to carry into effect [the affairs about the building of the bridge and cookhouse], and shall urge him to do this properly.

Canton River to be kept clear of Boats.

7. The 7th Article is proposed with a view of preventing the creating of disturbance between the mariners of our respective countries, and hence the river [before the foreign factories] must be kept clear [of boats]. We shall therefore order the officers of that station to drive away [the boats] from time to time.

The above 7 propositions are now all agreed upon; and I submit this clear reply to the consideration of you, the Honourable Envoy, addressing the same.

To his Excellency Her Britannic Majesty's Plenipotentiary, Sir John F. Davis, Bart., &c.

Taoukwang, 27th year, 2nd month, 21st day. (April 6, 1847.)

(No. 6.) *TREATY of PEACE, FRIENDSHIP, and COMMERCE, between Great Britain and China. Signed at Tientsin, 26th June, 1858.*

[Signed also in Chinese.]

[Ratifications exchanged at Peking, October 24, 1860.*]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, being

* The British Representative, on his passage up the Pei-ho to exchange the Ratifications of this Treaty, was obstructed by an act of the Garrison of Taku; an attempt was made by the British and French troops to force a passage up the Pei-ho, but it was successfully resisted by the Chinese, June 24, 1860; a joint expedition was in consequence fitted out from England and France, which sailed for China, March 8, 1860. The Taku forts, at the mouth of the Pei-ho, were captured by the British and French troops, August 23, 1860, which then marched on to Peking, and were about to open fire on the City, when the Chinese granted all their demands. A Convention was signed on the 24th October, 1860 (No. 8), ratifying the Treaty of Tientsin of June 26, 1858, and embodying other subjects, including an apology for the insult offered by the garrison at Taku. See Final Protocol of 7th September, 1901 (No. 26), Article VIII, as to the razing of the Taku forts.

desirous to put an end to the existing misunderstanding between the two countries, and to place their relations on a more satisfactory footing in future, have resolved to proceed to a revision and improvement of the Treaties existing between them; and, for that purpose, have named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of Great Britain and Ireland, the Right Honourable the Earl of Elgin and Kincardine, &c.;

And His Majesty the Emperor of China, the High Commissioners Kweiliang, a Senior Chief Secretary of State, &c.; and Hwashana, one of His Imperial Majesty's Expositors of the Classics, &c.;

Who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Confirmation of Treaty of 29th August, 1842.

The Treaty of Peace and Amity between the two nations, signed at Nanking on the 29th day of August, in the year 1842 (No. 1), is hereby renewed and confirmed.

Abrogation of Trade Regulations of July, 1843, and of Supplementary Treaty of October, 1843.

The Supplementary Treaty and General Regulations of Trade having been amended and improved, and the substance of their provisions having been incorporated in this Treaty, the said Supplementary Treaty and General Regulations of Trade are hereby abrogated.

ARTICLE II.

Appointment of Ambassadors, &c.

For the better preservation of harmony in future, Her Majesty the Queen of Great Britain and His Majesty the Emperor of China mutually agree that, in accordance with the universal practice of great and friendly nations, Her Majesty the Queen may, if she see fit, appoint Ambassadors, Ministers, or other Diplomatic Agents to the Court of Peking; and His Majesty the Emperor of China may, in like manner, if he see fit, appoint Ambassadors, Ministers, or other Diplomatic Agents to the Court of St. James'.

ARTICLE III.

Residence of British Representative at Peking.

His Majesty the Emperor of China hereby agrees, that the Ambassador, Minister, or other Diplomatic Agent, so appointed by Her Majesty the Queen of Great Britain, may reside, with his family and establishment, permanently at the capital, or may visit it occasionally, at the option of the British Government.

[Confirmed by Article II of Convention of 24th October, 1860 (No. 8).]

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Ceremonial, &c.

He shall not be called upon to perform any ceremony derogatory to him as representing the Sovereign of an independent nation, on a footing of equality with that of China. On the other hand, he shall use the same forms of ceremony and respect to His Majesty the Emperor as are employed by the Ambassadors, Ministers, or Diplomatic Agents of Her Majesty towards the Sovereigns of independent and equal European nations.

[Correspondence respecting the Audience granted to Her Majesty's Minister and the other Foreign Representatives at Peking by the Emperor of China in 1873, was laid before Parliament in 1874. [C. 802.] "State Papers," Vol. 65, page 657. See also Final Protocol of 7th September, 1901 (No. 26), Article XII.]

Right of British Government to hire Houses, &c., at Peking.

It is further agreed, that Her Majesty's Government may acquire at Peking a site for building, or may hire houses for the accommodation of Her Majesty's mission, and that the Chinese Government will assist it in so doing.

Right of British Representative to choose his own Servants, &c.

Her Majesty's Representative shall be at liberty to choose his own servants and attendants, who shall not be subjected to any kind of molestation whatever.

Non-Molestation of British Representative or his Suite.

Any person guilty of disrespect or violence to Her Majesty's Representative, or to any member of his family or establishment, in deed or word, shall be severely punished.

ARTICLE IV.

Rights and Privileges of British Representative.

It is further agreed, that no obstacle or difficulty shall be made to the free movements of Her Majesty's Representative, and that he, and the persons of his suite, may come and go, and travel at their pleasure. He shall, moreover, have full liberty to send and receive his correspondence, to and from any point on the sea-coast that he may select; and his letters and effects shall be held sacred and inviolable. He may employ, for their transmission, special couriers, who shall meet with the same protection and facilities for travelling as the persons employed in carrying despatches for the Imperial Government; and, generally, he shall enjoy the same privileges as are accorded to officers of the same rank by the usage and consent of Western nations.

Expenses of Mission to be borne by British Government.

All expenses attending the Diplomatic Mission of Great Britain in China shall be borne by the British Government.

ARTICLE V.

Transaction of Business between British Representative and Chinese Government.

His Majesty the Emperor of China agrees to nominate one of the Secretaries of State, or a President of one of the Boards, as the high officer with whom the Ambassador, Minister, or other Diplomatic Agent of Her Majesty the Queen, shall transact business, either personally or in writing, on a footing of perfect equality.

[See also Agreement of 13th Sept., 1876, respecting Official Intercourse, (No. 12).]

ARTICLE VI.

Privileges of Chinese Ambassadors, &c., in Great Britain.

Her Majesty the Queen of Great Britain agrees that the privileges hereby secured shall be enjoyed in her dominions by the Ambassadors, Ministers, or Diplomatic Agents of the Emperor of China, accredited to the Court of Her Majesty.

ARTICLE VII.

Appointment of Consuls. Their Rights and Privileges.

Her Majesty the Queen may appoint one or more Consuls in the dominions of the Emperor of China; and such Consul or Consuls shall be at liberty to reside in any of the open ports or cities of China as Her Majesty the Queen may consider most expedient for the interests of British commerce. They shall be treated with due respect by the Chinese authorities, and enjoy the same privileges and immunities as the Consular officers of the most favoured nation.

Consuls and Vice-Consuls in charge shall rank with Intendents of Circuits; Vice-Consuls, Acting Vice-Consuls, and Interpreters, with Prefects. They shall have access to the official residences of these officers, and communicate with them, either personally or in writing, on a footing of equality, as the interests of the public service may require.

[See also Article XI, and Agreement, 10th December, 1880 (No. 13).]

ARTICLE VIII.

Religious Toleration.

The Christian religion, as professed by Protestants or Roman Catholics, inculcates the practice of virtue, and teaches man to do as he would be done by. Persons teaching or professing it, there-

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fore, shall alike be entitled to the protection of the Chinese authorities, nor shall any such, peaceably pursuing their calling, and not offending against the law, be persecuted or interfered with.

[On the 9th February, 1871, a Circular was issued by the Chinese Government relating to Missionaries, which was laid before Parliament in 1872, together with the Correspondence which had passed upon the subject. [C. 468]. See also INDEX for other references to Missionaries.]

ARTICLE IX.

Passports.

British subjects are hereby authorized to travel, for their pleasure or for purposes of trade, to all parts of the interior, under passports which will be issued by their Consuls, and countersigned by the local authorities. These passports, if demanded, must be produced for examination in the localities passed through. If the passport be not irregular, the bearer will be allowed to proceed, and no opposition shall be offered to his hiring persons or hiring vessels for the carriage of his baggage or merchandise. If he be without a passport, or if he commit any offence against the law, he shall be handed over to the nearest Consul for punishment, but he must not be subjected to any ill-usage in excess of necessary restraint. No passport need be applied for by persons going on excursions from the ports open to trade to a distance not exceeding 100 li, and for a period not exceeding 5 days.

The provisions of this Article do not apply to crews of ships, for the due restraint of whom regulations will be drawn up by the Consul and the local authorities.

To Nanking, and other cities disturbed by persons in arms against the Government, no pass shall be given, until they shall have been recaptured.

[See Agreement of 8th November, 1858 (No. 7), Rule 8, excepting Peking from Regulations respecting Passports, and Rule 5, respecting Opium.]

ARTICLE X.

Trade on the River Yang-tze. Port of Chinkiang to be opened to Trade.

British merchant ships shall have authority to trade upon the Great River (Yang-tze). The Upper and Lower Valley of the river being, however, disturbed by outlaws, no port shall be for the present open to trade, with the exception of Chinkiang, which shall be opened in a year from the date of the signing of this Treaty.

Other Ports on the Yang-tze to be opened.

So soon as peace shall have been restored, British vessels shall also be admitted to trade at such ports as far as Hankow, not exceeding 3 in number, as the British Minister, after consulta-

tion with the Chinese Secretary of State, may determine shall be ports of entry and discharge.

[Hankow and Kiukiang were selected, by arrangement with the Chinese Government in November, 1860, as Ports to be opened to trade under this Article.]

ARTICLE XI.

Ports of Newchwang, Chefoo, Taiwan (Formosa), Swatow, and Kiungchow (Hainan) opened to Trade.

In addition to the cities and towns of Canton, Amoy, Foochow, Ningpo, and Shanghai, opened by the Treaty of Nanking (No. 1),* it is agreed that British subjects may frequent the cities and ports of Newchwang, Tangchow (Chefoo),† Taiwan (Formosa), Chao-Chow (Swatow),‡ and Kiungchow (Hainan). [See No. 11, Art. VI.]

They are permitted to carry on trade with whomsoever they please, and to proceed to and fro at pleasure with their vessels and merchandise.

Rent of Houses, Churches, Hospitals, Cemeteries, &c.

They shall enjoy the same privileges, advantages, and immunities, at the said towns and ports, as they enjoy at the ports already opened to trade, including the right of residence, of buying or renting houses, of leasing land therein, and of building churches, hospitals, and cemeteries.

ARTICLE XII.

Rent of Houses, Churches, Hospitals, Burial-Grounds, &c.

British subjects, whether at the ports or at other places, desiring to build or open houses, warehouses, churches, hospitals, or burial-grounds, shall make their agreement for the land or buildings they require, at the rates prevailing among the people, equitably, and without exactions on either side.

[See Agreement, 18th Sept., 1876, respecting Foreign Settlement Areas (No. 12).]

ARTICLE XIII.

Employment of Chinese by British Subjects.

The Chinese Government will place no restrictions whatever upon the employment, by British subjects, of Chinese subjects in any lawful capacity.

ARTICLE XIV.

Hire of Boats by British Subjects. No Monopoly. Smuggling.

British subjects may hire whatever boats they please for the transport of goods or passengers, and the sum to be paid for such

* Art. II, page 7.

† Chefoo is the port actually opened.

‡ Swatow is the port actually opened.

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boats shall be settled between the parties themselves, without the interference of the Chinese Government. The number of these boats shall not be limited, nor shall a monopoly in respect either of the boats, or of the porters or coolies engaged in carrying the goods, be granted to any parties. If any smuggling takes place in them, the offenders will, of course, be punished according to law.

ARTICLE XV.

Jurisdiction of British Authorities in Questions affecting British Subjects.

All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British authorities.

[See British Orders in Council of 24th October, 1904 (No. 156), and 11th February, 1907 (No. 169).]

ARTICLE XVI.

Administration of Justice. British Consular Jurisdiction in case of Crimes committed by British Subjects.

Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by the Chinese authorities, according to the laws of China.

British subjects who may commit any crime in China shall be tried and punished by the Consul, or other public functionary authorized thereto, according to the laws of Great Britain.

Justice shall be equitably and impartially administered on both sides.

["British functionary authorized thereto" translated in the Chinese text "British Government." See Agreement 13th Sept., 1876 (No. 12), Section II, § 2. For meaning of words "hui t'ung," indicating combined action, see Section II, § 3 of same Agreement. See also British Orders in Council of 24th October, 1904 (No. 156), and 11th February, 1907 (No. 169). See also Treaty of 5th September, 1903 (No. 28), Article XII.]

ARTICLE XVII.

Disputes between British Subjects and Chinese. Consular Intervention.

A British subject having reason to complain of a Chinese, must proceed to the Consulate, and state his grievance. The Consul will inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if a Chinese have reason to complain of a British subject, the Consul shall no less listen to his complaint, and endeavour to settle it in a friendly manner. If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the Chinese authorities, that they may together examine into the merits of the case, and decide it equitably.

ARTICLE XVIII.

Protection of British Persons and Property.

The Chinese authorities shall at all times afford the fullest protection to the persons and property of British subjects, whenever these shall have been subjected to insult or violence. In all cases of incendiarism or robbery, the local authorities shall at once take the necessary steps for the recovery of the stolen property, the suppression of disorder, and the arrest of the guilty parties, whom they will punish according to law.

ARTICLE XIX.

Pirates.

If any British merchant vessel, while within Chinese waters, be plundered by robbers or Pirates, it shall be the duty of the Chinese authorities to use every endeavour to capture and punish the said robbers or Pirates, and to recover the stolen property, that it may be handed over to the Consul for restoration to the owner.

ARTICLE XX.

Wrecks, &c.

If any British vessel be at any time wrecked or stranded on the coast of China, or be compelled to take refuge in any port within the dominions of the Emperor of China, the Chinese authorities, on being apprised of the fact, shall immediately adopt measures for its relief and security; the persons on board shall receive friendly treatment, and shall be furnished, if necessary, with the means of conveyance to the nearest Consular station.

ARTICLE XXI.*

Surrender of Fugitive Criminals between China and Hong Kong.

If criminals, subjects of China, shall take refuge in Hong Kong, or on board the British ships there, they shall upon due requisition by the Chinese authorities, be searched for, and, on proof of their guilt, be delivered up.

In like manner, if Chinese offenders take refuge in the houses or on board the vessels of British subjects at the open ports, they shall not be harboured or concealed, but shall be delivered up, on due requisition by the Chinese authorities, addressed to the British Consul.

* The construction of this Article came under the consideration of the Judicial Committee of the Privy Council in the appeal case of the Attorney-General of Hong Kong v. Kwok Asing. (5 Law Rep. Priv. Co. 179. See also Parliamentary Paper 1868, No. 120). Notes were exchanged between Sir Rutherford Alcock and the Chinese Government in April—May, 1868, providing for the abolition of torture on the execution of Chinese criminals, in the event of their extradition. See also Hong Kong Ordinances of 1869 and 1897 (Nos. 178 and 184).

ARTICLE XXII.

British and Chinese fraudulent Debtors.

Should any Chinese subject fail to discharge debts incurred to a British subject, or should he fraudulently abscond, the Chinese authorities will do their utmost to effect his arrest, and enforce recovery of the debts. The British authorities will likewise do their utmost to bring to justice any British subject fraudulently absconding or failing to discharge debts incurred by him to a Chinese subject.

ARTICLE XXIII.

Debts incurred by Chinese at Hong Kong.

Should natives of China who may repair to Hong Kong to trade incur debts there, the recovery of such debts must be arranged for by the English Courts of Justice on the spot; but should the Chinese debtor abscond, and be known to have property, real or personal, within the Chinese territory, it shall be the duty of the Chinese authorities, on application by, and in concert with, the British Consul, to do their utmost to see justice done between the parties.

ARTICLE XXIV.

Most-favoured-nation Treatment in respect to Imports and Exports.

It is agreed that British subjects shall pay, on all merchandise imported or exported by them, the duties prescribed by the Tariff, but in no case shall they be called upon to pay other or higher duties than are required of the subjects of any other foreign nation.

ARTICLE XXV.

Payment of Import and Export Duties.

Import duties shall be considered payable on the landing of the goods, and duties of export on the shipment of the same.

ARTICLE XXVI.

Revision of Tariff.

Whereas the Tariff fixed by Article X of the Treaty of Nanking,* and which was estimated so as to impose on imports and exports a duty at about the rate of 5 per cent. *ad valorem*, has been found, by reason of the fall in value of various articles of merchandise, therein enumerated, to impose a duty upon these, considerably in excess of the rate originally assumed as above to be a fair rate, it is agreed that the said Tariff shall be revised, and that as soon as the Treaty shall have been signed, application shall

* 29th August, 1842 (No. 1).

be made to the Emperor of China to depute a high officer of the Board of Revenue to meet, at Shanghai, officers to be deputed on behalf of the British Government, to consider its revision together, so that the Tariff, as revised, may come into operation immediately after the ratification of this Treaty.

[See Agreement of 8th November, 1858 (No. 7), and Tariff annexed thereto. See also Tariff Agreement of 29th August, 1902 (No. 27).]

ARTICLE XXVII.

Duration and Revision of Treaty and Tariff.

It is agreed that either of the High Contracting Parties to this Treaty may demand a further revision of the Tariff, and of the Commercial Articles of this Treaty, at the end of 10 years; but if no demand be made on either side within 6 months after the end of the first 10 years, then the Tariff shall remain in force for 10 years more, reckoned from the end of the preceding 10 years; and so it shall be, at the end of each successive period of 10 years.

[A Supplementary Convention was signed by Sir Rutherford Alcock and the Chinese Authorities on the 23rd October, 1869 (No. 11), but it was not ratified. See "Hansard Debates," vol. 202 (1870), p. 1624.]

ARTICLE XXVIII.

Transit Dues.

Whereas it was agreed in Article X of the Treaty of Nanking,* that British imports, having paid the Tariff duties, should be conveyed into the interior free of all further charges, except a transit duty, the amount whereof was not to exceed a certain percentage on tariff value; and whereas no accurate information having been furnished of the amount of such duty, British merchants have constantly complained that charges are suddenly and arbitrarily imposed by the provincial authorities as transit duties upon produce on its way to the foreign market, and on imports on their way into the interior, to the detriment of trade; it is agreed that within 4 months from the signing of this Treaty, at all ports now open to British trade, and within a similar period to all ports that may hereafter be opened, the authority appointed to superintend the collection of duties shall be obliged, upon application of the Consul, to declare the amount of duties leviable on produce between the place of production and the port of shipment, and upon imports between the Consular port in question and the inland markets named by the Consul; and that a notification thereof shall be published in English and Chinese for general information.

But it shall be at the option of any British subject, desiring to convey produce purchased inland to a port, or to convey imports from a port to an inland market, to clear his goods of all transit

* 29th August, 1842 (No. 1.)

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duties, by payment of a single charge. The amount of this charge shall be leviable on exports at the first barrier they may have to pass, or, on imports, at the port at which they are landed; and on payment thereof, a certificate shall be issued, which shall exempt the goods from all further inland charges whatsoever.

It is further agreed that the amount of this charge shall be calculated, as nearly as possible, at the rate of two and a half per cent. *ad valorem*, and that it shall be fixed for each article at the Conference to be held at Shanghai for the revision of the Tariff.

It is distinctly understood, that the payment of transit dues, by commutation or otherwise, shall in no way affect the Tariff duties on imports or exports, which will continue to be levied separately and in full.

[See Agreement of 8th November, 1858 (No. 7), Rule 5, respecting Opium, &c., and Rule 7, respecting Transit dues. See also Treaty of 5th September, 1902 (No. 28), Art. VIII.]

ARTICLE XXIX.

Tonnage Dues.

British merchant-vessels, of more than 150 tons burden, shall be charged tonnage dues at the rate of 4 mace per ton; if of 150 tons and under, they shall be charged at the rate of one mace per ton.

Special Certificate to Vessels clearing from one Chinese Port to another Chinese Port and for Hong Kong.

Any vessel clearing from any of the open ports of China for any other of the open ports, or for Hong Kong, shall be entitled, on application of the master, to a special certificate from the Customs, on exhibition of which she shall be exempted from all further payment of tonnage dues in any open port of China, for a period of 4 months, to be reckoned from the date of her port clearance.

ARTICLE XXX.

Tonnage Dues. Exemption from Payment in certain cases.

The master of any British merchant-vessel may, within 48 hours after the arrival of his vessel, but not later, decide to depart without breaking bulk, in which case he will not be subject to pay tonnage dues. But tonnage dues shall be held due after the expiration of the said 48 hours. No other fees or charges upon entry or departure shall be levied.

[See Agreement of 8th November, 1858 (No. 7), Rule 6.]

ARTICLE XXXI.

Exemption of certain British Boats from Tonnage Dues.

No tonnage dues shall be payable on boats employed by British subjects in the conveyance of passengers, baggage, letters, articles

of provisions, or other articles not subject to duty, between any of the open ports. All cargo boats, however, conveying merchandise subject to duty shall pay tonnage dues once in 6 months at the rate of 4 mace per register ton.

ARTICLE XXXII.

Buoys, Beacons, Lighthouses, &c.

The Consuls and Superintendents of Customs shall consult together regarding the erection of beacons or lighthouses, and the distribution of buoys and light-ships, as occasion may demand.

ARTICLE XXXIII.

Payment of Duties in Sycee or Foreign Money.

Duties shall be paid to the bankers, authorized by the Chinese Government to receive the same in its behalf, either in sycee or in foreign money, according to the assay made at Canton on the 13th of July, 1843.

ARTICLE XXXIV.

Standard Weights and Measures to be deposited at each Consulate.

Sets of standard weights and measures, prepared according to the standard issued to the Canton Custom-House by the Board of Revenue, shall be delivered by the Superintendent of Customs to the Consul at each port, to secure uniformity and prevent confusion.

[See also Agreement of 8th November, 1858 (No. 7), Rule 4.]

ARTICLE XXXV.

Pilots.

Any British merchant-vessel arriving at one of the open ports, shall be at liberty to engage the services of a Pilot to take her into port. In like manner, after she has discharged all legal dues and duties, and is ready to take her departure, she shall be allowed to select a Pilot to conduct her out of port.

ARTICLE XXXVI.

Custom-House Guards.

Whenever a British merchant-vessel shall arrive off one of the open ports, the Superintendent of Customs shall depute one or more Customs officers to guard the ship. They shall either live in a boat of their own, or stay on board the ship, as may best suit their convenience. Their food and expenses shall be supplied them from the Custom-House, and they shall not be entitled to

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any fees whatever from the master or consignee. Should they violate this regulation, they shall be punished proportionately to the amount exacted.

ARTICLE XXXVII.

Liability of Vessels entering Port.

Within 24 hours after arrival, the ship's papers, bills of lading, &c., shall be lodged in the hands of the Consul, who will, within a further period of 24 hours, report to the Superintendent of Customs, the name of the ship, her register tonnage, and the nature of her cargo. If, owing to neglect on the part of the master, the above rule is not complied with within 48 hours after the ship's arrival, he shall be liable to a fine of 50 taels for every day's delay; the total amount of penalty, however, shall not exceed 200 taels.

[See also Agreement of 8th November, 1858 (No. 7), Rule 6.]

Ships' Manifests and Bills of Lading.

The master will be responsible for the correctness of the manifest, which shall contain a full and true account of the particulars of the cargo on board. For presenting a false manifest, he will subject himself to a fine of 500 taels; but he will be allowed to correct, within 24 hours after delivery of it to the Customs officers, any mistake he may discover in his manifest, without incurring this penalty.

[See also Agreement of 8th November, 1858 (No. 7), Rule 6.]

ARTICLE XXXVIII.

Permit to open Hatches and discharge Goods.

After receiving from the Consul the report in due form, the Superintendent of Customs shall grant the vessel a permit to open hatches. If the master shall open hatches and begin to discharge any goods without such permission, he shall be fined 500 taels, and the goods discharged shall be confiscated wholly.

ARTICLE XXXIX.

Permits to Land and Ship Cargoes.

Any British merchant who has cargo to land or ship, must apply to the Superintendent of Customs for a special permit. Cargo landed or shipped without such permit will be liable to confiscation.

ARTICLE XL.

Trans-shipments.

No trans-shipments from one vessel to another can be made without special permission, under pain of confiscation of the goods so trans-shipped.

ARTICLE XLI.

Port-clearances.

When all dues and duties shall have been paid, the Superintendent of Customs shall give a port-clearance, and the Consul shall then return the ship's papers, so that she may depart on her voyage.

ARTICLE XLII.

Mode of levying ad valorem Duties.

With respect to articles subject, according to the Tariff, to an *ad valorem* duty, if the British merchant cannot agree with the Chinese officer in fixing a value, then each party shall call two or three merchants to look at the goods, and the highest price at which any of these merchants would be willing to purchase them, shall be assumed as the value of the goods.

[See also Agreement of 8th November, 1858 (No. 7), Rule 1.]

ARTICLE XLIII.

Mode of levying Duties on Goods.

Duties shall be charged upon the net weight of each article, making a deduction for the tare, weight of congee, &c. To fix the tare on any article such as tea, if the British merchant cannot agree with the Custom-House officer, then each party shall choose so many chests out of every 100, which being first weighed in gross, shall afterwards be tared, and the average tare upon these chests shall be assumed as the tare upon the whole; and upon this principle shall the tare be fixed upon all other goods in packages. If there should be any other points in dispute which cannot be settled, the British merchant may appeal to his Consul, who will communicate the particulars of the case to the Superintendent of Customs, that it may be equitably arranged. But the appeal must be made within 24 hours, or it will not be attended to. While such points are still unsettled, the Superintendent of Customs shall postpone the insertion of the same in his books.

ARTICLE XLIV.

Reduction of Duty on Damaged Goods.

Upon all damaged goods a fair reduction of duty shall be allowed, proportionate to their deterioration. If any disputes arise, they shall be settled in the manner pointed out in the clause of this Treaty having reference to articles which pay duty *ad valorem*.

ARTICLE XLV.

Re-exportation of Duty-paid Goods.

British merchants who may have imported merchandise into any of the open ports and paid the duty thereon, if they desire to re-export the same, shall be entitled to make application to the Superintendent of Customs, who, in order to prevent fraud on the revenue, shall cause examination to be made by suitable officers, to see that the duties paid on such goods, as entered in the Custom-House books, correspond with the representation made, and that the goods remain with their original marks unchanged. He shall then make a memorandum on the port-clearance of the goods and of the amount of duties paid, and deliver the same to the merchant; and shall also certify the facts to the officers of Customs of the other ports. All which being done, on the arrival in port of the vessel in which the goods are laden, everything being found on examination there to correspond, she shall be permitted to break bulk, and land the said goods, without being subject to the payment of any additional duty thereon. But if, on such examination, the Superintendent of Customs shall detect any fraud on the revenue in the case, then the goods shall be subject to confiscation by the Chinese Government.

*Drawback Certificates.**

British merchants desiring to re-export duty-paid imports to a foreign country, shall be entitled, on complying with the same conditions as in the case of re-exportation to another port in China, to a drawback certificate, which shall be a valid tender to the Customs in payment of import or export duties.

Foreign Grain.

Foreign grain brought into any port of China in a British ship, if no part thereof has been landed, may be re-exported without hindrance.

ARTICLE XLVI.

Preventions against Fraud and Smuggling.

The Chinese authorities at each port shall adopt the means they may judge most proper to prevent the revenue suffering from Fraud or Smuggling.

[See Note, page 52.]

ARTICLE XLVII.

British Vessels trading with Ports not opened by Treaty liable to Confiscation.

British merchant vessels are not entitled to resort to other than the ports of trade declared open by this Treaty. They are not

* See Chefoo Agreement, 18th September, 1876 (No. 12), Section III, Clause 5; and Treaty of 5th September, 1902 (No. 28), Art I.

unlawfully to enter other ports in China, or to carry on clandestine trade along the coasts thereof. Any vessel violating this provision, shall, with her cargo, be subject to confiscation by the Chinese Government.

ARTICLE XLVIII.

Goods on British Vessels found concerned in Smuggling liable to Confiscation.

If any British merchant vessel be concerned in Smuggling, the goods, whatever their value or nature, shall be subject to confiscation by the Chinese authorities, and the ship may be prohibited from trading further, and sent away as soon as her accounts shall have been adjusted and paid.

ARTICLE XLIX.

Penalties and Confiscations to belong to Chinese Government.

All penalties enforced, or confiscations made, under this Treaty, shall belong and be appropriated to the public service of the Government of China.

ARTICLE L.

Language to be employed in Official Communications.

All official communications, addressed by the Diplomatic and Consular Agents of Her Majesty the Queen to the Chinese authorities, shall, henceforth, be written in English. They will for the present be accompanied by a Chinese version, but it is understood that, in the event of there being any difference of meaning between the English and Chinese text, the English Government will hold the sense as expressed in the English text to be the correct sense. This provision is to apply to the Treaty now negotiated, the Chinese text of which has been carefully corrected by the English original.

ARTICLE LI.

The Chinese character "I" 夷 (barbarian) not to be applied to the British Government or to British Subjects.

It is agreed, that henceforth the character "I" 夷 (barbarian) shall not be applied to the Government or subjects of Her Britannic Majesty in any Chinese official document issued by the Chinese authorities in the capital or in the provinces.

ARTICLE LII.

Facilities to be granted to British Ships of War. Piracy, &c.

British ships of war coming for no hostile purpose, or being engaged in the pursuit of Pirates, shall be at liberty to visit all ports within the dominions of the Emperor of China, and shall receive every facility for the purchase of provisions, procuring water, and, if occasion require, for the making of repairs. The Commanders of such ships shall hold intercourse with the Chinese authorities on terms of equality and courtesy.

ARTICLE LIII.

Measures to be taken for Suppression of Piracy.

In consideration of the injury sustained by native and foreign commerce from the prevalence of Piracy in the seas of China, the High Contracting Parties agree to concert measures for its suppression.

ARTICLE LIV.

Confirmation of previous Treaties. Most-favoured-nation Treatment conferred on British Subjects.

The British Government and its subjects are hereby confirmed in all privileges, immunities, and advantages conferred on them by previous Treaties: and it is hereby expressly stipulated that the British Government and its subjects will be allowed free and equal participation in all privileges, immunities, and advantages that may have been, or may be hereafter, granted by His Majesty the Emperor of China to the Government or subjects of any other nation. (See No. 11, Art. I.)

ARTICLE LV.

A separate Article to be agreed upon, providing for the Indemnity to be paid for Losses, &c., of British Subjects at Canton.

[A separate Article on this subject was agreed upon, but it was annulled by the Convention of 24th October, 1860 (No. 8).]

ARTICLE LVI.

Ratifications.

The ratifications of this Treaty, under the hand of Her Majesty the Queen of Great Britain and Ireland, and His Majesty the Emperor of China, respectively, shall be exchanged at Peking, within a year from this day of signature.

[See Articles I and VII of Convention of 24th October, 1860 (No. 8).]

In token whereof, the respective Plenipotentiaries have signed and sealed this Treaty.

[Rules of Trade.]

Done at Tientsin, this 26th day of June, in the year of our Lord, 1858; corresponding with the Chinese date, the 16th day, 5th moon, of the 8th year of Hien Fung.

(L.S.) ELGIN AND KINCARDINE.

Signature of
1st Chinese
Plenipotentiary.

Signature of
2nd Chinese
Plenipotentiary.

Seal of the
Chinese Plenipo-
tentiaries.

SEPARATE ARTICLE.—*Payment of Chinese Indemnity, 2,000,000 Taels, for Losses of British Subjects at Canton; and a further sum of 2,000,000 Taels for Expenses of British Expedition to China.*

[Annulled, and a further Indemnity engaged to be paid by China, by Article III of the Convention of 24th October, 1860 (No. 8).]

(No. 7.) *AGREEMENT containing Rules of Trade, made in pursuance of Article XXVI of the Treaty of 26th June, 1858. (Tariff annexed.) Signed at Shanghai, 8th November, 1858.**

WHEREAS it was provided by the Treaty of Tientsin (No. 6, Article XXVI) that a Conference should be held at Shanghai between officers deputed by the British Government on the one part, and by the Chinese Government on the other part, for the purpose of determining the amount of tariff duties and transit dues to be henceforth levied, a Conference has been held accordingly; and its proceedings have been submitted to the Right Honourable the Earl of Elgin and Kincardine, High Commissioner and Plenipotentiary of Her Britannic Majesty the Queen, on the one part; and to Kweiliang, Hwashana, Ho Kweitsing, Mingshen, and Twau Ching-Shih, High Commissioners and Plenipotentiaries of His Imperial Majesty the Emperor, on the other part; these high officers have agreed and determined upon the revised Tariff hereto appended, the rate of transit dues therewith declared, together with other rules and regulations for the better explanation of the Treaty aforesaid; and do hereby agree that the said tariff and rules—the latter being in 10 Articles thereto appended—shall be equally binding on the Governments and subjects of both countries with the Treaty itself.

In witness whereof, they hereto affix their seals and signatures.

* See Tariff Agreement of 29th August, 1902 (No. 27), and Rules annexed thereto.

[Rules of Trade.]

Rule 1.—*Unenumerated Goods.*

Articles not enumerated in the list of exports, but enumerated in the list of imports, when exported will pay the amount of duty set against them in the list of imports; and similarly, articles not enumerated in the list of imports, but enumerated in the list of exports, when imported, will pay the amount of duty set against them in the list of exports.

Articles not enumerated in either list, nor in the list of duty-free goods, will pay an *ad valorem* duty of 5 per cent., calculated on their market value.

[See also Treaty of 26th June, 1858 (No. 6), Article XLII, and Tariff Agreement of 29th August, 1902 (No. 27), Rule 1.]

Rule 2.—*Duty-Free Goods.*

Gold and silver bullion, foreign coins, flour, Indian meal, sago, biscuit, preserved meats and vegetables, cheese, butter, confectionery, foreign clothing, jewellery, plated ware, perfumery, soap of all kinds, charcoal, fire wood, candles (foreign), tobacco (foreign), cigars (foreign), wine, beer, spirits, household stores, ships' stores, personal baggage, stationery, carpeting, druggeting, cutlery, foreign medicines, and glass and crystal ware.

The above pay no import or export duty: but if transported into the interior, will, with the exception of personal baggage, gold and silver bullion, and foreign coins, pay a transit duty at the rate of two and a-half per cent. *ad valorem*.

A freight or part freight of duty-free commodities (personal baggage, gold and silver bullion, and foreign coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to tonnage dues.

[See Tariff Agreement of 29th August, 1902 (No. 27), Rule 2.]

Rule 3.—*Contraband Goods.*

Import and export trade is alike prohibited in the following articles: gunpowder, shot, cannon, fowling-pieces, rifles, muskets, pistols, and all other munitions and implements of war; and salt.

[See Tariff Agreement of 29th August, 1902 (No. 27), Rule 3.]

Rule 4.—*Weights and Measures.*

In the calculations of the tariff, the weight of a pecul of 100 catties is held to be equal to 133½ pounds avoirdupois; and the length of a *chang* of 10 Chinese feet, to be equal to 141 English inches.

One Chinese *chi* is held to equal 14½ inches English; and 4 yards English, less 3 inches, to equal 1 *chang*.

Rule 5.—*Regarding certain Commodities heretofore Contraband.*

The restrictions affecting trade in opium, cash, grain, pulse, sulphur, brimstone, saltpetre, and spelter, are relaxed, under the following conditions:—

1.* *Opium* will henceforth pay 30 taels per pecul import duty. The importer will sell it only at the port. It will be carried into the interior by Chinese only, and only as Chinese property; the foreign trader will not be allowed to accompany it. The provisions of Article IX of the Treaty of Tientsin (No. 6) by which British subjects are authorized to proceed into the interior with passports to trade, will not extend to it, nor will those of Article XXVIII of the same Treaty (No. 6), by which the transit dues are regulated; the transit dues on it will be arranged as the Chinese Government see fit: nor in future revisions of the Tariff, is the same rule of revision to be applied to opium as to other goods.

2. *Copper Cash*. The export of cash to any foreign port is prohibited; but it shall be lawful for British subjects to ship it at one of the open ports of China to another, on compliance with the following regulation. The shipper shall give notice of the amount of cash he desires to ship, and the port of its destination, and shall bind himself, either by a bond with two sufficient sureties, or by depositing such other security as may be deemed by the Customs satisfactory, to return, within 6 months from the date of clearance, to the collector at the port of shipment, the certificate issued by him, with an acknowledgment thereon of the receipt of the cash at the port of destination, by the collector at that port, who shall thereto affix his seal; or, failing the production of the certificate, to forfeit a sum equal in value to the cash shipped. Cash will pay no duty inwards or outwards; but a freight or part freight of cash, though no other cargo be on board, will render the vessel carrying it liable to pay tonnage dues.

3.† The export of rice and all other grain whatsoever, native or foreign, no matter where grown or whence imported, to any foreign port, is prohibited; but these commodities may be carried by British merchants from one of the open ports of China to another, under the same conditions in respect of security as cash, on payment at the port of shipment of the duty specified in the tariff.

No import duty will be leviable upon rice or grain; but a freight or part freight of rice or grain, though no other cargo be on board, will render the vessel importing it liable to tonnage dues.

4.‡ *Pulse*.—The export of pulse and bean-cake from Tangchow§ and Newchwang, under the British flag, is prohibited. From any other of the open ports they may be shipped, on payment of the Tariff duty, either to other ports of China or to foreign countries.

5.¶ Saltpetre, sulphur, brimstone, and spelter, being munitions of war, shall not be imported by British subjects, save at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them. No permit to land them will be

* See Chefoo Agreement, 13th September, 1876 (No. 12), Section III, Clause 3; and Additional Article, 18th July, 1885 (No. 14).

† See Treaty of 5th September, 1902 (No. 28), Article XIV.

‡ Abrogated by agreement with the Chinese Government as notified by the British Minister, 24th March, 1862 (Mayers).

§ Chefoo was opened in the place of Tangchow. See page 23.

¶ See Tariff of 1902 (No. 27), and Rule 3, thereto annexed.

[Rules of Trade.]

issued until the Customs have proof that the necessary authority has been given to the purchaser. It shall not be lawful for British subjects to carry these commodities up the Yang-tsze-kiang, or into any port other than those open on the seaboard, nor to accompany them into the interior on behalf of Chinese. They must be sold at the ports only; and except at the ports they will be regarded as Chinese property.

Infractions of the conditions, as above set forth, under which trade in opium, cash, grain, pulse, saltpetre, brimstone, sulphur, and spelter, may be henceforward carried on, will be punishable by confiscation of all the goods concerned.

Rule 6.—*Liability of Vessels entering Port.*

To the prevention of misunderstanding, it is agreed that the term of 24 hours, within which British vessels must be reported to the Consul under Article XXXVII of the Treaty of Tientsin (No. 6), shall be understood to commence from the time a British vessel comes within the limits of the port; as also the term of 48 hours allowed her by Article XXX of the same Treaty (No. 6) to remain in port without payment of tonnage dues.

The limits of the port shall be defined by the Customs, with all consideration for the convenience of trade, compatible with due protection of the revenue; also the limits of the anchorages within which lading and discharging is permitted by the Customs; and the same shall be notified to the Consuls for public information.

Rule 7.—*Transit Dues.**

It is agreed that Article XXVIII of the Treaty of Tientsin (No. 6) shall be interpreted to declare the amount of transit dues legally leviable upon merchandise imported or exported by British subjects, to be one-half of the tariff duties, except in the case of the duty-free goods liable to a transit duty of two and a-half per cent. *ad valorem*, as provided in Article 2 of these rules. Merchandise shall be cleared of its transit dues under the following conditions:—

In the case of Imports.—Notice being given at the port of entry from which the imports are to be forwarded inland; of the nature and quantity of the goods; the ship from which they have been landed; and the place inland to which they are bound, with all other necessary particulars; the collector of Customs will, on due inspection made, and on receipt of the transit duty due, issue a transit duty certificate. This must be produced at every barrier station, and *visâ*. No further duty will be leviable upon imports so certificated, no matter how distant the place of their destination.

In the case of Exports.—Produce purchased by a British subject in the interior will be inspected and taken account of at the

* See Chofoo Agreement, 13th September, 1876 (No. 12), and Additional Article, 18th July, 1885 (No. 14) (Opium). See also Treaty of 14th September, 1902 (No. 28), Article VIII.

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first barrier it passes on its way to the port of shipment. A memorandum, showing the amount of the produce and the port at which it is to be shipped, will be deposited there by the person in charge of the produce; he will then receive a certificate, which must be exhibited and *viséd* at every barrier on his way to the port of shipment. On the arrival of the produce at the barrier nearest the port, notice must be given to the Customs at the port, and the transit dues due thereon being paid, it will be passed. On exportation the produce will pay the Tariff duty.*

Any attempt to pass goods inwards or outwards, otherwise than in compliance with the rule here laid down, will render them liable to confiscation.

Unauthorized sale, *in transitu*, of goods that have been entered as above for a port, will render them liable to confiscation. Any attempt to pass goods in excess of the quantity specified in the certificate, will render all the goods of the same denomination named in the certificate liable to confiscation. Permission to export produce which cannot be proved to have paid its transit dues, will be refused by the Customs until the transit dues shall have been paid.

The above being the arrangement agreed to regarding the transit dues, which will thus be levied once and for all, the notification required under Article XXVIII of the Treaty of Tientsin (No. 6) for the information of British and Chinese subjects, is hereby dispensed with.

Rule 8.—*Foreign Trade under Passports. Peking excepted.*

It is agreed that Article IX of the Treaty of Tientsin (No. 6) shall not be interpreted as authorizing British subjects to enter the capital city of Peking for purposes of Trade.

Rule 9.—*Abolition of the Melting Fee.*

It is agreed that the percentage of one tael two mace, hitherto charged in excess of duty-payments, to defray the expenses of melting by the Chinese Government, shall be no longer levied on British subjects.

Rule 10.—*Collection of Duties under one System at all Ports.*

It being, by Treaty, at the option of the Chinese Government to adopt what means appear to it best suited to protect its revenue, accruing on British trade, it is agreed that one uniform system shall be enforced at every port.

The high officer appointed by the Chinese Government to superintend foreign trade will accordingly, from time to time, either himself visit, or will send a deputy to visit, the different ports. The said high officer will be at liberty, of his own choice,

* For revised Rules relating to Transit Certificates, see (No. 12) Section III, Clause 4. See also Treaty of 5th September, 1902 (No. 28), Article VIII.

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and independently of the suggestion or nomination of any British authority, to select any British subject he may see fit to aid him in the administration of the Customs revenue; in the prevention of smuggling; in the definition of port boundaries; or in discharging the duties of harbour-master; also in the distribution of lights, buoys, beacons, and the like, the maintenance of which shall be provided for out of the tonnage dues.

The Chinese Government will adopt what measures it shall find requisite to prevent smuggling up the Yang-tsze-kiang, when that river shall be opened to trade.

Done at Shanghai, in the province of Kiang-su, this 8th day of November, in the year of Our Lord 1858, being the 3rd day of the 10th moon of the 8th year of the reign of Hin-fung.

(L.S.) ELGIN AND KINCARDINE.

Signatures and Seal
of the
Five Chinese
High Commissioners
and
Plenipotentiaries.

List of Articles Referred to in the Above.

	Rule		Rule		Rule
Bean cake	5	Druggeting	2	Preserved meats	2
Beer	2	Firewood	2	Pulse	5
Biscuits	2	Flour	2	Rice	5
Brimstone	5	Fowling-pieces	3	Rifles	3
Bullion, gold and silver....	2	Glass	2	Sago	2
Butter	2	Gold bullion	2	Salt	3
Candles, foreign	2	Grain	5	Saltpetre	5
Cannon	3	Gunpowder....	3	Ship's stores	2
Carpeting....	2	Household stores	2	Shot	3
Cash	5	Indian meal	2	Silver bullion	2
Charcoal	2	Jewellery	2	Soap	2
Cheese	2	Medicines, foreign	2	Spelter	5
Cigars, foreign	2	Munitions of war	3	Spirits	2
Clothing, foreign....	2	Muskets	3	Stationery	2
Coins, foreign	2	Opium	5	Sulphur	5
Confectionery	2	Perfumery	2	Tobacco, foreign	2
Contraband goods	3	Personal baggage	2	Vegetables	2
Copper cash	5	Pistols	3	War, articles of	3
Crystal ware	2	Plated ware	2	Wine	2
Cutlery	2				

TARIFF.

[See also page 35.]

TARIFF OF IMPORTS.*

Articles.	Quantities.	Duty.			
		T.	M.	C.	C.
Agar-agar	Per 100 catties	0	1	5	0
Assafetida	"	0	6	5	0
Bees'-wax, yellow	"	1	0	0	0
Betel-nut	"	0	1	5	0
" husk	"	0	0	7	5
Bicho-de-mar, black	"	1	5	0	0
" white	"	0	3	5	0
Birds' nests, 1st quality	Per catty	0	5	5	0
" 2nd	"	0	4	5	0
" 3rd, or uncleaned	"	0	1	5	0
Buttons, brass	Per gross	0	0	5	5
Camphor, baroes, clean	Per catty	1	3	0	0
" refuse	"	0	7	0	0
Canvas and cotton duck, not exceeding 50 yards long	Per piece	0	4	0	0
Cardamoms, superior	Per 100 catties	1	0	0	0
" inferior, or grains of Paradise	"	0	5	0	0
Cinnamon	"	1	5	0	0
Clocks	5 per cent.	<i>ad valorem</i>			
Cloves	Per 100 catties	0	5	0	0
" mother	"	0	1	5	0
Coal, foreign	Per ton	0	0	5	0
Cochineal	Per 100 catties	5	0	0	0
Coral	Per catty	0	1	0	0
Cordage, Manila	Per 100 catties	0	3	5	0
Cornelians	Per 100 stones	0	3	0	0
" beads	Per 100 catties	7	0	0	0
Cotton, raw	"	0	3	5	0
Cotton piece goods—					
Grey, white, plain, and twilled, exceeding 34 inches wide, and not exceeding 40 yards long	Per piece	0	0	8	0
Exceeding 34 inches wide, and exceeding 40 yards long	Per every 10 yds.	0	0	2	0
Drills and jeans, not exceeding 30 inches wide, and not exceeding 40 yards long	Per piece	0	1	0	0
Not exceeding 30 inches wide, and not exceeding 30 yards long	"	0	0	7	5
T-cloths, not exceeding 34 inches wide, and not exceeding 48 yards long	"	0	0	8	0
Not exceeding 34 inches wide, and not exceeding 24 yards long	"	0	0	4	0
Cotton, dyed, figured and plain, not exceeding 36 inches wide, and not exceeding 40 yards long	"	0	1	5	0
Cotton, fancy, white brocades and white spotted shirtings, not exceeding 36 inches wide, and not exceeding 40 yards long	"	0	1	0	0
Cotton, printed, chintzes and furnitures, not exceeding 31 inches wide, and not exceeding 30 yards long	"	0	0	7	0

* See revised Tariff annexed to Agreement of 29th August, 1902 (No. 27). For weights and measures see Rule 4 of Agreement of 8th November, 1856 (No. 7). 1 tael = 10 mace. 1 mace = 10 condareen. 1 condareen = 10 cash. A tael is a money of account (not a coin); its value varies at different ports in China; its sterling value fluctuates with the price of silver. (See note on page 149.)

Nov. 8, 1858.]

GREAT BRITAIN AND CHINA.

[No. 7.]

[Tariff of Imports.* See also page 35.]

Articles.	Quantities.	Duty.
		T. M. C. C.
Cotton cambrics, not exceeding 46 inches wide, and not exceeding 24 yards long	Per piece	0 0 7 0
Cotton cambrics, not exceeding 46 inches wide, and not exceeding 12 yards long....	"	0 0 3 5
Cotton muslins, not exceeding 46 inches wide, and not exceeding 24 yards long....	"	0 0 7 5
Cotton muslins, not exceeding 46 inches wide, and not exceeding 12 yards long....	"	0 0 3 5
Cotton damasks, not exceeding 36 inches wide, and not exceeding 40 yards long....	"	0 2 0 0
Cotton dimities or quiltings, not exceeding 40 inches wide, and not exceeding 12 yards long	"	0 0 6 5
Cotton ginghams, not exceeding 28 inches wide, and not exceeding 30 yards long....	"	0 0 3 5
Cotton handkerchiefs, not exceeding 1 yard square....	Per dozen	0 0 2 5
" fustians, not exceeding 35 yards long	Per piece	0 2 0 0
" velveteens, not exceeding 3½ yards long	"	0 1 5 0
" thread	Per 100 catties	0 7 2 0
" yarn	"	0 7 0 0
Cow bezoar, Indian	Per catty	1 5 0 0
Cutch	Per 100 catties	0 1 8 0
Elephants' teeth, whole	"	4 0 0 0
" broken	"	3 0 0 0
Feathers, kingfishers', peacocks'	Per 100	0 4 0 0
Fish maws	Per 100 catties	1 0 0 0
" skins	"	0 2 0 0
Flints	"	0 0 3 0
Gambier	"	0 1 5 0
Gamboge	"	1 0 0 0
Ginseng, American, crude	"	6 0 0 0
" " clarified	"	8 0 0 0
Glass, window	Per box of 100 square feet	0 1 5 0
Glue	Per 100 catties	0 1 5 0
Gold thread, real	Per catty	1 6 0 0
" imitation	"	0 0 3 0
Gum benjamin	Per 100 catties	0 6 0 0
" " oil of	"	0 6 0 0
" dragon's blood	"	0 4 5 0
" myrrh	"	0 4 5 0
" olibanum	"	0 4 5 0
Hides, buffalo and cow....	"	0 5 0 0
" rhinoceros	"	0 4 2 0
Horns, buffalo	"	0 2 5 0
" deer	"	0 2 5 0
" rhinoceros	"	2 0 0 0
Indigo, liquid	"	0 1 8 0
Icinglass	"	0 6 5 0
Lacquered ware....	"	1 0 0 0
Leather	"	0 4 2 0
Linen, fine, as Irish or Scotch, not exceeding 50 yards long....	Per piece	0 5 0 0
Linen, coarse, as linen and cotton, or silk and linen mixtures, not exceeding 50 yards long	"	0 2 0 0
Lucraban seed	Per 100 catties	0 9 3 5
Mace	"	1 0 0 0
Mangrove bark	"	0 0 3 0

* See revised Tariff annexed to Agreement of 29th August, 1903 (No. 27).

[Tariff of Imports.* See also page 35.]

Articles.	Quantities.	Duty.
		T. M. C. C.
Metals:—		
Copper, manufactured, as in sheets, rods, nails	Per 100 cetties	1 5 0 0
" unmanufactured, as in slabs	"	1 0 0 0
" yellow metal, sheathing, and nails	"	0 9 0 0
" Japan	"	0 6 0 0
Iron, manufactured, as in sheets, rods, bars, hoops	"	0 1 2 5
" unmanufactured, as in pigs	"	0 0 7 5
" kentledge	"	0 0 1 0
" wire	"	0 2 5 0
Lead, in pigs	"	0 2 5 0
" in sheets	"	0 5 5 0
Quicksilver	"	2 0 0 0
Spalter (saleable only under regulation appended)	"	0 2 5 0
Steel	"	0 2 5 0
Tin	"	1 2 5 0
" plates	"	0 4 0 0
Mother-o'-pearl shell	"	0 2 0 0
Musical boxes	5 per cent.	<i>ad valorem</i>
Mussels, dried	Per 100 cetties	0 2 0 0
Nutmegs	"	2 5 0 0
Olives, unpickled, salted, or pickled	"	0 1 8 0
Opium†	"	80 0 0 0
Pepper, black	"	0 2 6 0
" white	"	0 5 0 0
Prawns, dried	"	0 2 6 0
Putehuk	"	0 6 0 0
Rattans	"	0 1 5 0
Rose Maloes	"	1 0 0 0
Salt fish	"	0 1 8 0
Saltpetre (saleable only under regulation appended)	"	0 5 0 0
Sandal-wood	"	0 4 0 0
Sapan-wood	"	0 1 0 0
Seahorse teeth	"	2 0 0 0
Shark's fins, black	"	0 5 0 0
" white	"	1 5 0 0
" skins	Per 100	2 0 0 0
Silver thread, real	Per catty	1 3 0 0
" imitation	"	0 0 3 0
Sinews, buffalo and deer	Per 100 cetties	0 5 5 0
Skins, fox, large	Each	0 1 5 0
" small	"	0 0 7 5
" marten	"	0 1 5 0
" sea-otter	"	1 5 0 0
" tiger and leopard	"	0 1 5 0
" beaver	Per 100	5 0 0 0
" doe, hare, and rabbit	"	0 5 0 0
" squirrel	"	0 5 0 0
" land-otter	"	2 0 0 0
" racoon	"	2 0 0 0
Smalts	Per 100 cetties	1 5 0 0
Snuff, foreign	"	7 2 0 0
Sticklac	"	0 3 0 0
Stockfish	"	0 5 0 0
Sulphur and brimstone (saleable only under regulation appended)	"	0 2 0 0

* See revised Tariff annexed to Agreement of 20th August, 1902 (No. 27).

† See Agreement, 18th September, 1876 (No. 12), § 3 (1); Additional Article, 18th July, 1885 (No. 14), and 11th September, 1886 (No. 16).

Nov. 8, 1858.]

GREAT BRITAIN AND CHINA.

[No. 7.]

[Tariff of Imports*. See also page 35.]

Articles.	Quantities.	Duty.
		T. M. C. C.
Telescopes, spy and opera glasses, looking-glasses, and mirrors	5 per cent.	<i>ad valorem</i>
Tigers' bones	Per 100 catties	1 5 5 0
Timber—		
Masts and spars, hard-wood, not exceeding 40 feet	Each	4 0 0 0
" " " 60 feet	"	6 0 0 0
" " " exceeding 60 feet	"	10 0 0 0
" " soft-wood, not exceeding 40 feet	"	2 0 0 0
" " " 60 feet	"	4 5 0 0
" " " exceeding 60 feet	"	6 5 0 0
Beams, hard-wood, not exceeding 26 feet long, and under 12 inches square	"	0 1 5 0
Planks, hard-wood, not exceeding 24 feet long, 12 inches wide, and 3 inches thick	Per 100	3 5 0 0
Planks, hard-wood, not exceeding 16 feet long, 12 inches wide, and 3 inches thick	"	2 0 0 0
Planks, soft-wood	Per 1,000 sq. ft.	0 7 0 0
" teak	Per cubic foot	0 0 3 5
Tinder	Per 100 catties	0 3 5 0
Tortoiseshell	Per catty	0 2 5 0
" broken	"	0 0 7 2
Umbrellas	Each	0 0 3 5
Velvets, not exceeding 34 yards long	Per piece	0 1 8 0
Watches	Per pair	1 0 0 0
" émaillés à perles	"	4 5 0 0
Wax, Japan	Per 100 catties	0 6 5 0
Woods, Camagon	"	0 0 3 0
" ebony	"	0 1 5 0
" Garroo	"	2 0 0 0
" fragrant	"	0 4 5 0
" Kranjee, 35 feet long, 1 foot 8 inches wide, and 1 foot thick	Each	0 8 0 0
" Laka	Per 100 catties	0 1 4 5
" red	"	0 1 1 5
Woollen manufactures, viz.: blankets	Per pair	0 2 0 0
" broadcloth and Spanish stripes, habit and medium cloth, 51 inches at 64 inches wide	Per chang	0 1 2 0
" long ells, 31 inches wide	"	0 0 4 5
" camlets, English, 31 inches wide	"	0 0 5 0
" " Dutch, 33 inches wide	"	0 1 0 0
" " imitation, and bombasettes	"	0 0 3 5
" cassimere, flannel and narrow cloth	"	0 0 4 0
" lastings, 31 inches wide	"	0 0 5 0
" " imitation and Orleans, 31 inches wide	"	0 0 3 5
" bunting, not exceeding 24 inches wide, 40 inches long	Per piece	0 2 0 0
" and cotton mixtures, viz.: lustras, plain and brocaded, not exceeding 31 yards long	"	0 2 0 0
" inferior Spanish stripes	Per chang	0 1 0 0
" yarn	Per 100 catties	3 0 0 0

* See revised Tariff annexed to Agreement of 29th August, 1902 (No. 27).

TARIFF OF EXPORTS.*

[See also page 35.]

Articles.	Quantities.	Duty.
Alum	Per 100 catties	T. M. C. D. 0 0 4 5
" green, or copperas	"	0 1 0 0
Aniseed, star	"	0 5 0 0
" broken	"	0 2 5 0
" oil	"	5 0 0 0
Apricot seeds, or almonds	"	0 4 5 0
Arsenic	"	0 4 5 0
Artificial flowers	"	1 5 0 0
Bamboo ware	"	0 7 5 0
Bangles, or glass armlets	"	0 5 0 0
Beans and peas (except from Newchwang and Tanchow)†	"	0 0 6 0
Bean cake (except from Newchwang and Tanchow)†	"	0 0 2 5
Bone and horn ware	"	1 5 0 0
Brass buttons	"	2 0 0 0
" foil	"	1 5 0 0
" ware	"	1 0 0 0
" wire	"	1 1 5 0
Camphor	"	0 7 5 0
Canes	Per 1,000	0 5 0 0
Cantharides	Per 100 catties	2 0 0 0
Capoor Cutcherry	"	0 2 0 0
Carpets and druggets	Per 100	2 5 0 0
Cassia lignea	Per 100 catties	0 6 0 0
" buds	"	0 3 0 0
" twigs	"	0 1 5 0
" oil	"	9 0 0 0
Castor oil	"	0 2 0 0
Chestnuts	"	0 1 0 0
China root	"	0 1 3 0
China ware, fine	"	0 9 0 0
" coarse	"	0 4 5 0
Cinnabar	"	0 7 5 0
Clothing, cotton	"	1 5 0 0
" silk	"	10 0 0 0
Coal	"	0 0 4 0
Coir	"	0 1 0 0
Copper ore	"	0 5 0 0
" sheathing, old	"	0 5 0 0
Copper and pewter ware	"	1 1 5 0
Corals, false	"	0 3 5 0
Cotton, raw	"	0 2 5 2
" rags	"	0 0 4 5
Cow, Bezoar	Per catty	0 3 6 0
Crackers, fireworks	Per 100 catties	0 5 0 0
Cubebs	"	1 5 0 0
Curiosities, antiques	5 per cent.	ad valorem
Dates, black	Per 100 catties	0 1 5 0
" red	"	0 0 9 0
Dye, green	Per catty	0 3 0 0
Eggs, preserved	Per 1,000	0 2 5 0
Fans, leather	Per 100	0 7 5 0
" paper	"	0 0 4 5
" palm-leaf, trimmed	Per 1,000	0 2 6 0
" " untrimmed	"	0 2 0 0

* See Treaty of 5th September, 1902 (No. 28), Article VIII, Section 7.

† Chefoo was opened in the place of Tanchow. See page 23.

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GREAT BRITAIN AND CHINA.

[No. 7.]

[Tariff of Exports.* See also page 35.]

Articles.	Quantities.	Duty.
Felt cuttings	Per 100 catties	T. M. C. C. 0 1 0 0
" caps	Per 100	1 2 5 0
Fungus, or agaric	Per 100 catties	0 6 0 0
Gelangal...	"	0 1 0 0
Garlic	"	0 0 3 5
Ginseng, native	5 per cent.	<i>ad valorem</i>
" Corcan or Japan, 1st quality	Per catty	0 5 0 0
" " 2nd quality	"	0 3 5 0
Glass beads	Per 100 catties	0 5 0 0
" or vitrified ware	"	0 5 0 0
Grass cloth, fine...	"	2 5 0 0
" coarse	"	0 7 5 0
Ground-nuts	"	0 1 0 0
" cake	"	0 0 3 0
Gypsum, ground, or plaster of Paris	"	0 0 3 0
Hair, camels'	"	1 0 0 0
" goats'	"	0 1 8 0
Hams	"	0 5 5 0
Hartall, or orpiment	"	0 3 5 0
Hemp	"	0 3 5 0
Honey	"	0 9 0 0
Horns, deer's, young	Per pair	0 9 0 0
" old	Per 100 catties	1 3 5 0
Indian ink	"	4 0 0 0
Indigo, dry	"	1 0 0 0
Ivory ware	Per catty	0 1 5 0
Joss-sticks	Per 100 catties	0 2 0 0
Kittysols, or paper umbrellas	Per 100	0 5 0 0
Lacquered ware	Per 100 catties	1 0 0 0
Lamp wicks	"	0 6 0 0
Lead, red (minium)	"	0 3 5 0
" white (ceruse)	"	0 3 5 0
" yellow (massicot)	"	0 3 5 0
Leather articles, as pouches, purses	"	1 5 0 0
" green	"	1 8 0 0
Liches	"	0 2 0 0
Lily flowers, dried	"	0 2 7 0
" seeds, or lotus nuts	"	0 5 0 0
Liquorice	"	0 1 2 5
Lung-ngan	"	0 2 5 0
" without the stone	"	0 3 5 0
Manure cakes, or poundrette	"	0 0 9 0
Marble slabs	"	0 2 0 0
Mats of all kinds	Per 100	0 2 0 0
Matting	Per roll of 40 yds.	0 2 0 0
Melon seeds	Per 100 catties	0 1 0 0
Mother-o'-pearl ware	Per catty	0 1 0 0
Mushrooms	Per 100 catties	1 5 0 0
Musk	Per catty	0 9 0 0
Nankeen and native cotton cloths	Per 100 catties	1 5 0 0
Nutgalls	"	0 5 0 0
Oil, as bean, tea, wood, cotton, and hemp seed.	"	0 3 0 0
Oiled paper	"	0 4 5 0
Olive seed	"	0 3 0 0
Oyster-shell, sea-shells	"	0 0 9 0
Paint (green)	"	0 4 5 0
Palampore, or cotton bed-quilts	Per 100	2 7 5 0

* See Treaty of 5th September, 1902 (No. 28), Article VIII, Section 7.

[Tariff of Exports.* See also page 35.]

Articles.	Quantities.	Duty.
Paper, 1st quality	Per 100 catties	T. M. C. C. 0 7 0 0
" 2nd quality	"	0 4 0 0
Pearls, false	"	2 0 0 0
Peel, orange	"	0 2 0 0
" Pumelo, 1st quality	"	0 4 5 0
" " 2nd "	"	0 1 5 0
Peppermint leaf	"	0 1 0 0
" oil	"	2 5 0 0
Pictures and paintings	Each	0 1 0 0
" on pith or rice-paper	Per 100	0 1 0 0
Pottery, earthenware	Per 100 catties	0 0 5 0
Preserves, comfits, and sweetmeats	"	0 5 0 0
Rattans, split	"	0 2 5 0
Rattan-ware	"	0 2 0 0
Rhubarb	"	1 2 5 0
Rice or paddy, wheat, millet, and other grains	"	0 1 0 0
Rugs, of hair or skin	Each	0 0 9 0
Samshoo	Per 100 catties	0 1 5 0
Sandalwood ware	Per catty	0 1 0 0
Seaweed	Per 100 catties	0 1 5 0
Sesamum seed	"	0 1 3 5
Shoes and boots, leather or satin	Per 100 pairs	3 0 0 0
" straw	"	0 1 8 0
Silk, raw and thrown	Per 100 catties	10 0 0 0
" yellow, from Szechuen	"	7 0 0 0
" reeled, from Dupions	"	5 0 0 0
" wild raw	"	2 5 0 0
" refuse	"	1 0 0 0
" cocoons	"	3 0 0 0
" floss, Canton	"	4 3 0 0
" floss, from other provinces	"	10 0 0 0
" ribbons and thread	"	10 0 0 0
" piece-goods: pongees, shawls, scarves, crapes,	"	12 0 0 0
" satin, gauze, velvet, and embroidered goods...	"	4 5 0 0
" piece-goods: Szechuen and Shantung	"	10 0 0 0
" tassels	"	0 9 0 0
" caps	Per 100	5 5 0 0
" and cotton mixtures	Per 100 catties	10 0 0 0
Silver and gold ware	"	0 8 0 0
Snuff	"	0 4 0 0
Soy	"	0 7 0 0
Straw braid	"	0 1 2 0
Sugar, brown	"	0 2 0 0
" white	"	0 2 5 0
" candy	"	0 2 0 0
Tallow, animal	"	0 3 0 0
" vegetable	"	2 5 0 0
Tea	"	1 2 5 0
Tin foil	"	0 4 5 0
Tobacco, prepared	"	0 1 5 0
" leaf	"	0 2 0 0
Tortoiseshell ware	Per catty	1 5 0 0
Trunks, leather	Per 100 catties	0 1 0 0
Turmeric	"	0 1 5 0
Twine, hemp, Canton	"	0 5 0 0
" " Soochow	"	0 1 3 0
Turnips, salted	"	0 5 0 0
Varnish, or crude lacquer	"	

* See Treaty of 5th September, 1902 (No. 28), Article VIII, Section 7.

Oct. 24, 1860.]

GREAT BRITAIN AND CHINA.

[No. 8.]

Peking.

[Indemnity, &c.]

Articles.						Quantities.	Duty.			
Vermicelli	....	....	....	....	....	Per 100 catties	T.	M.	C.	O.
Vermilion	....	....	....	....	....	"	0	1	8	0
Wax, white or insect	....	....	....	....	....	"	2	5	0	0
Wood, piles, poles, and joists	....	....	....	....	....	Each	1	5	0	0
" ware	....	....	....	....	....	Per 100 catties	0	0	3	0
Wool	....	....	....	....	....	"	1	1	5	0
							0	2	5	0

[See Treaty of 5th September, 1902 (No. 28), Article VIII, Section 7.]

(L.S.) ELGIN AND KINCARDINE.

Signatures and Seal
of the
Five Chinese
High Commissioners
and
Plenipotentiaries.

[For the accession of China to the "Customs Tariff Publication Convention, 1890,"
see "Hertault's Commercial Treaties," Vol. 19, page 171.]

(No. 8.) *CONVENTION of Peace and Friendship between Great Britain and China. Signed at Peking, 24th October, 1860.*

[Signed also in Chinese.]

HER Majesty the Queen of Great Britain and Ireland, and His Imperial Majesty the Emperor of China, being alike desirous to bring to an end the misunderstanding at present existing between their respective Governments, and to secure their relations against further interruption, have for this purpose appointed Plenipotentiaries, that is to say:—

Her Majesty the Queen of Great Britain and Ireland, the Earl of Elgin and Kincardine;

And His Imperial Majesty the Emperor of China, His Imperial Highness the Prince of Kung;

Who, having met and communicated to each other their full powers, and finding these to be in proper form, have agreed upon the following Convention, in 9 Articles:—

ARTICLE I.

Apology of Emperor for obstruction offered by garrison of Taku to passage of British Representative with Ratifications of Treaty of 26th June, 1858.

A breach of friendly relations having been occasioned by the act of the garrison of Taku, which obstructed Her Britannic

Majesty's Representative when on his way to Peking for the purpose of exchanging the Ratifications of the Treaty of Peace concluded at Tientsin in the month of June, 1858 (No. 6), His Imperial Majesty the Emperor of China expresses his deep regret at the misunderstanding so occasioned.

[See Note, page 18.]

ARTICLE II.

Right of British Representative to reside at Peking. Arrangement of October, 1858, cancelled.

It is further expressly declared, that the arrangement entered into at Shanghai in the month of October, 1858, between Her Britannic Majesty's Ambassador, the Earl of Elgin and Kincardine, and His Imperial Majesty's Commissioners, Kweiliang and Hwas-hana, regarding the residence of Her Britannic Majesty's Representative in China, is hereby cancelled; and that, in accordance with Article III of the Treaty of 1858 (No. 6), Her Britannic Majesty's Representative will henceforward reside permanently or occasionally at Peking, as Her Majesty shall be pleased to decide.

ARTICLE III.

Separate Article of Treaty of 26th June, 1858, annulled. Indemnity of 8,000,000 Taels, to be paid by instalments: 2,000,000 to British merchants for their losses at Canton, and 6,000,000 for War Expenses.

It is agreed that the Separate Article of the Treaty of 1858 (No. 6) is hereby annulled; and that, in lieu of the amount of indemnity therein specified, His Imperial Majesty the Emperor of China shall pay the sum of 8,000,000 taels, in the following proportions or instalments, namely:—At Tientsin, on or before the 30th day of November, the sum of 500,000 taels; at Canton, and on or before the 1st day of December, 1860, 333,333 taels, less the sum which shall have been advanced by the Canton authorities towards the completion of the British Factory site at Shamien; and the remainder at the ports open to foreign trade, in quarterly payments, which shall consist of one-fifth of the gross revenue from Customs there collected. The first of the said payments being due on the 31st day of December, 1863, for the quarter terminating on that day.

It is further agreed that these moneys shall be paid into the hands of an officer whom Her Britannic Majesty's Representative shall specially appoint to receive them, and that the accuracy of the amounts shall, before payment, be duly ascertained by British and Chinese officers appointed to discharge this duty.

In order to prevent future discussion, it is moreover declared that, of the 8,000,000 taels herein guaranteed, 2,000,000 will be appropriated to the indemnification of the British mercantile com-

Oct. 24, 1860.]

GREAT BRITAIN AND CHINA.

[No. 8.]

Peking.

[Cession of Kowloon, &c.]

munity at Canton, for losses sustained by them, and the remaining 6,000,000 to the liquidation of war expenses.

[A Return of the claims made for Indemnity by the Commercial Community of Canton under the Convention of Peking, of 24th October, 1860 (No. 8); and a Return, showing, in detail, the manner in which the 2,000,000 taels set aside for the purpose of meeting those claims were distributed and disposed of, was laid before Parliament in 1871. C.—457.]

ARTICLE IV.

Port of Tientsin opened to Trade.

It is agreed that on the day on which this Convention is signed, His Imperial Majesty the Emperor of China shall open the port of Tientsin to trade, and that it shall be thereafter competent to British subjects to reside and trade there under the same conditions as at any other port of China by Treaty open to trade.

ARTICLE V.

Chinese Coolie Emigration.

As soon as the ratifications of the Treaty of 1858 shall have been exchanged,* His Imperial Majesty the Emperor of China will, by Decree, command the high authorities of every province to proclaim throughout their jurisdictions, that Chinese choosing to take service in the British Colonies or other parts beyond sea, are at perfect liberty to enter into engagements with British subjects for that purpose, and to ship themselves and their families on board any British vessel at any of the open ports of China; also that the high authorities aforesaid shall, in concert with Her Britannic Majesty's Representative in China, frame such regulations for the protection of Chinese, emigrating as above, as the circumstances of the different open ports may demand.

[See Convention of 5th March, 1866 (No. 10), and Convention of 13th May, 1904 (No. 29).]

ARTICLE VI.

Hong Kong. Cession to Great Britain of that portion of Township of Kowloon which was leased to Mr. Harry Parkes. Lease cancelled. Liquidation of Chinese Claims.

With a view to the maintenance of law and order in and about the harbour of Hong Kong,† His Imperial Majesty the Emperor of China agrees to cede to Her Majesty the Queen of Great Britain and Ireland, and to Her heirs and successors, to have and to hold, as a dependency of Her Britannic Majesty's colony of Hong Kong, that portion of the township of Kowloon, in the Province of Kwang-tung, of which a lease was granted in perpetuity to Harry

* Exchanged 24th October, 1860.

† See Treaty of 29th August, 1842 (No. 1), Art. III.

Smith Parkes, Esquire, Companion of the Bath, a member of the Allied Commission at Canton, on behalf of Her Britannic Majesty's Government, by Lan Tsung Kwang, Governor-General of the Two Kwang.

It is further declared that the lease in question is hereby cancelled; that the claims of any Chinese to any property on the said portion of Kowloon shall be duly investigated by a Mixed Commission of British and Chinese officers; and that compensation shall be awarded by the British Government to any Chinese whose claims shall be by the said Commission established, should his removal be deemed necessary by the British Government.

[See Convention of 9th June, 1858 (No. 24), respecting an extension of Hong Kong territory.]

ARTICLE VII.

Confirmation of Treaty of 26th June, 1858, with modifications.

It is agreed that the provisions of the Treaty of 1858 (No. 6), except in so far as these are modified by the present Convention, shall without delay come into operation as soon as the ratifications of the Treaty aforesaid shall have been exchanged.*

No Separate Ratification of present Convention required.

It is further agreed that no separate ratification of the present Convention shall be necessary, but that it shall take effect from the date of its signature, and be equally binding with the Treaty above mentioned on the High Contracting Parties.

ARTICLE VIII.

Treaty of 26th June, 1858, and present Convention to be published by Chinese Government.

It is agreed that as soon as the ratifications of the Treaty of the year 1858 (No. 6) shall have been exchanged, His Imperial Majesty the Emperor of China shall, by Decree, command the high authorities in the capital and in the provinces to print and publish the aforesaid Treaty and the present Convention for general information.†

ARTICLE IX.

Conditional Evacuation of Chusan and other places in China occupied by British Troops.

It is agreed that, as soon as this Convention shall have been signed, the ratifications of the Treaty of the year 1858 (No. 6) shall have been exchanged, and an Imperial decree respecting the publication of the said Convention and Treaty shall have been

* Exchanged 24th October, 1860.

† This Treaty was, with the Emperor's consent, posted on the walls of Peking.

Oct. 24, 1860.]

GREAT BRITAIN AND CHINA.

[No. 8.]

Peking.

[Smuggling at Hong Kong.]

promulgated, as provided for by Article VIII of this Convention, Chusan shall be evacuated by Her Britannic Majesty's troops there stationed,* and Her Britannic Majesty's force now before Peking shall commence its march towards the city of Tientsin, the forts of Taku, the north coast of Shang-tung, and the city of Canton, at each or all of which places it shall be at the option of Her Majesty the Queen of Great Britain and Ireland to retain a force until the indemnity of 8,000,000 taels, guaranteed in Article III, shall have been paid.

Done at Peking, in the Court of the Board of Ceremonies, on the 24th day of October, in the year of our Lord 1860.

(L.S.) ELGIN AND KINCARDINE.

Signature and Seal
of the Chinese
Plenipotentiary.

Smuggling. Between July, 1874, and March, 1875, a correspondence passed relating to the complaints of the mercantile community in Hong Kong against the action of Chinese revenue cruisers in the neighbourhood of that colony. This correspondence was laid before Parliament in April, 1875 [C.—1189]. On the 1st December, 1874, the British Consul at Canton drew up a report upon the subject, in which he pointed out how the Treaty stipulations bore upon the first question, and the following is an extract from that Report (page 41) :—

"The Proclamation of Sir Charles, then Captain Elliot, of the 20th of June, 1841,† notified the cession of Hong Kong to the British Crown on certain conditions, the first of which is: "All just charges and duties to the Empire upon the commerce carried on there (Hong Kong), to be paid as if the trade were conducted at Whampoa" (the anchorage at Canton). Here, then, is an explicit acknowledgment of the right of the Chinese to levy duties at Hong Kong. But the island had been only provisionally ceded, and was in that position when the Proclamation of the 7th of June, five months subsequently, was issued, upon which the petitions rely. But by Article III of the Treaty of Nanking, of August the 29th, 1842, which followed

* Chusan was reoccupied by British and French troops on the 21st April, 1860, and evacuated on the 1st January, 1861.

† A Proclamation, inviting Chinese merchants to resort to Hong Kong for the purposes of trade and commerce, under the promise of full protection from interference on the part of the Chinese Authorities, as by the said Proclamation, which is in the words and figures following, appears :—

"A Proclamation.

"By Sir Charles Elliot, &c., &c., &c.

"It is hereby declared to the merchants and traders of Canton and all parts of the Empire that they and their ships have free permission to resort to and trade at the port of Hong Kong, where they will receive full protection from the high officers of the British nation, and Hong Kong being on the shores of the Chinese Empire, neither will there be any charges on imports and exports to the British Government. It is further clearly declared that there will be an immediate embargo upon the port of Canton and all the large ports of the Empire, if there be the least obstruction to the freedom of trade and intercourse with the port of Hong Kong. Persons bringing information to the British officers which shall lead to the detection of pirates will be liberally rewarded, and the pirates will be taken and delivered over to the officers of the Chinese Government for punishment.

"CHARLES ELLIOT.

"At Macao, this 7th day of June, 1841."

[Customs Seizures at Shanghai.]

the war of that year, the island was definitely conveyed to the British Crown, and became part and parcel of Her Majesty's dominions, thus abrogating the two Proclamations above mentioned; and by the Treaty of October 8th, 1843, which supplemented that of Nanking, it was provided, under Article XIII, "should natives of China wish to repair to Hong Kong to purchase goods, they shall have full and free permission to do so, and should they require a Chinese vessel to carry away their purchases, they must obtain a pass or port clearance for her at the Custom-House of the port whence the vessel may sail from Hong Kong;" and, under Article XIV, "An English officer will be appointed at Hong Kong, one part of whose duty will be to examine registers and passes of all Chinese vessels that may repair to that port to buy or sell goods; and should such officer at any time find that any Chinese merchant vessel has not a pass or register from one of the five ports, she is to be considered as an unauthorised or smuggling vessel, and is not to be allowed to trade, whilst a report of the circumstances is to be made to the Chinese Authorities. By this arrangement it is hoped that piracy and illegal traffic will be effectively prevented." By Article XVI, the most important of the three, it was agreed: "That the Custom-House officers of the five ports shall make a monthly return to Canton of the passes granted to vessels proceeding to Hong Kong, together with the nature of their cargoes; and a copy of these returns will be embodied in one return, and communicated once a month to the proper English officer at Hong Kong. The said English officer will, on his part, make a similar return or communication to the Chinese Authorities at Canton, showing the names of Chinese vessels arrived at Hong Kong, or departed from that port, with the value of their cargoes: and the Canton Authorities will apprise the Custom-House at the five ports, in order that, by those arrangements and precautions, all clandestine and illegal trade, under the cover of passes, may be averted."

"Such were the precautions taken by Her Majesty's Government at that time to prevent Hong Kong becoming a Smuggling depôt, and the Chinese Government being defrauded of its just dues; and had they been preserved in future arrangements, all troublesome and difficult questions like the present one had never arisen. But by the Treaty of Tientsin, of the 26th June, 1858, which followed upon the third war, the Supplementary Treaty of Nanking was abrogated, and with it went these precautions, while none were substituted, since which, smuggling prospered at Hong Kong, and the Canton Government was driven to take the action now complained of."

"The Governor of Hong Kong was nevertheless informed by the Secretary of State for the Colonies that the Earl of Derby would direct Her Majesty's Minister at Peking to call the attention of the Chinese Government to the complaints which had, from time to time, been made by the mercantile community in Hong Kong of the interference of the revenue cruisers with the junk trade, and to urge them to issue such instructions as would render the collection of their Customs revenue in the immediate vicinity of Hong Kong as little vexatious as possible to the Government of that Colony, and to the great number of junks frequenting its waters for the purposes of lawful trade."

(No. 9.) *ARTICLES agreed upon between Mr. Wade and Prince Kung relative to cases of Customs Seizures at Shanghai.—Peking, 27th October, 1865.**

ARTICLE I.

WHEREVER a ship or goods belonging to a British subject may be seized in a port of China by the Customs, the seizure is to be reported without delay to the Superintendent. If he consider the seizure justified, he will direct the Foreign Commissioner of Customs to give notice to the party to whom the ship or goods are

* Approved by the British Government, 24th January, 1866; but superseded by Joint Investigation Rules of 31st May, 1868 (No. 127).

[Customs Seizures at Shanghai.]

declared to belong, that the ship or goods have been seized because such or such an irregularity has been committed, and that the said ship or goods will be confiscated unless before noon on a certain day, being the 6th day from the date of delivery of the notice, the Superintendent receive from the British Consul an official application to have the case fully investigated.

The British subject to whom the ship or goods belong, if prepared to maintain that the alleged irregularity has not been committed, is free to appeal within the term of six days direct to the Commissioner. If satisfied with his explanation, the Superintendent will direct the release of the ship or goods; otherwise, if he elect not so to appeal to the Customs, or if, after receiving his explanations, the Superintendent still decline to release the ship or goods, he may appeal to his Consul, who will write to inform the Superintendent of the particulars of his appeal, and to request him, the Superintendent, to name a day for the public investigation of the evidence on which the action of the Customs is founded.

ARTICLE II.

The Superintendent, on receipt of the Consul's communications, will name a day for meeting him at the Custom-House, and the Consul will desire the merchant to appear with his witnesses at the Custom-House on the day named, and will himself on that day proceed to the Custom-House. The Superintendent will invite the Consul to take his seat with him.

The Commissioner of Customs will also be seated to assist the Superintendent. Proceedings will be opened by the Superintendent who will call on the Customs' employes who have seized the ship or goods to state the circumstance which occasioned the seizure, and will question them according to their evidence. Whatever the merchant interested may have to state in contradiction of their evidence he will state to the Consul, who will cross-examine for him. Such will be the proceedings in the interest of truth and fairness.

The Consul and Superintendent may, if they see fit, appoint deputies to meet at the Custom-House in their stead, in which case the order of proceeding will be the same as if they were present in person.

ARTICLE III.

Notes will be taken of the statements of all parties examined, and the paper containing these will be signed and sealed by the Consul and Superintendent. The room will then be cleared, and the Superintendent will inform the Consul of the course he proposes to pursue. If he propose to confiscate the vessel or goods, and the Consul dissent, the merchant interested may appeal, and the Consul having given notice of the appeal to the Superintendent, they will forward copies of the above notes, the Consul to his Minister and the Superintendent to the Yamen of Foreign Affairs.

No. 10.] GREAT BRITAIN, FRANCE, AND CHINA. [Mar. 5, 1866.
[Chinese Emigrants.]

at Peking. If the Consul agrees with the Superintendent that the ship or goods ought to be confiscated the merchant will not be entitled to appeal. In no case will the release of ships or goods entitle the merchant to indemnification for the seizure, whether these be released after the investigation at the Custom-House or after appeal to the high authorities of both nations at Peking.

ARTICLE IV.

The case being referred to superior authority, the merchant interested shall be at liberty to give a bond, binding himself to pay the full value of the ship or goods attached, should the ultimate decision be against him, which bond being sealed with the Consular Seal, and deposited with the Superintendent, the Superintendent will restore to the merchant the ship or goods attached, and when the superior authority shall have decided whether so much money is to be paid, or the whole of the property seized confiscated, the merchant will be called on to pay accordingly.

If the merchant decline to give the necessary security, the ship or merchandise attached will be detained. But whether the decision of the superior authority be favourable to the appellant or not, the appellant will not be entitled to claim indemnity.

(No. 10.) *CONVENTION to regulate the Engagement of Chinese Emigrants by British and French Subjects. Signed at Peking, 5th March, 1866.**

THE Government of His Majesty the Emperor of China having requested that, in accordance with the terms of Conventions signed at Peking, the 24th and 25th of October, 1860 (Nos. 8 and 42), a set of Regulations should be framed to secure to Chinese emigrants those safeguards which are required for their moral and physical well-being; the following, after due discussion and deliberation at the Yamén of Foreign Affairs, have been adopted by the Undersigned, and will henceforth be in force.

Regulations.

ARTICLE I.

Any person desiring to open an emigration agency in any port in China, must address an application in writing to that effect to his Consul, inclosing at the same time copy of the rules which he proposes to observe in his establishment, copy of the contract which he offers to emigrants, together with the necessary proofs

* This Convention was published at Shanghai by Her Majesty's Consul at that port on the 22nd March, 1866, but it was not ratified. See Convention of 13th May, 1904 (No. 29).

that he has complied with all the conditions imposed by the laws of his country regulating emigration.

ARTICLE II.

The Consul after having assured himself of the solvency and respectability of the applicant, and having examined and approved the copies of the rules and contracts, shall communicate them to the Chinese authorities, and shall request them to issue the licence necessary for opening an emigration agency.

The licence, together with the rules and contracts as approved by the Chinese authorities, will be registered at the Consulate.

ARTICLE III.

No licence to open an emigration agency shall be withdrawn except upon sufficient grounds, and then only with the sanction of the Consul. In such a case the emigration agent shall have no claim to compensation for the closing of his establishment and the suspension of his operations.

ARTICLE IV.

No modification of the rules and contracts when once approved by the Consul and by the Chinese authorities shall be made without their express consent; and in order that no emigrant may be ignorant of them the said rules and contracts shall in all cases be posted up on the door of the emigration agency and in the quarters of the emigrants.

The emigration agent shall be allowed to circulate and make generally known in the towns and villages of the Province copies of these rules and contracts which must in all cases bear the seals of the Chinese authorities and of the Consulate.

ARTICLE V.

Every emigration agent shall be held responsible under the laws of his country for the due execution of the clauses of the contract signed by him until its expiration.

ARTICLE VI.

Every Chinese employed by the emigration agent to find him emigrants, shall be provided with a special licence from the Chinese authorities, and he alone will be responsible for any act done by him in the above capacity that may be, whether intentionally or unintentionally, in contravention of the laws of the empire.

ARTICLE VII.

Every Chinese wishing to emigrate under an engagement shall cause his name to be entered in a register kept for that purpose,

in the presence of the emigration agent and of an inspector deputed by the Chinese Government. He will then be at liberty to return to his home or to remain in the emigration depôt to wait the departure of the ship which is to carry him to his destination.

ARTICLE VIII.

The contracts shall specify :—

1st. The place of destination and the length of the engagement.

2nd. The right of the emigrant to be conveyed back to his own country, and the sum which shall be paid at the expiration of his contract to cover the expense of his voyage home and that of his family should they accompany him.

3rd. The number of working days in the year and the length of each day's work.

4th. The wages, rations, clothing, and other advantages promised to the emigrant.

5th. Gratuitous medical attendance.

6th. The sum which the emigrant agrees to set aside out of his monthly wages for the benefit of persons to be named by him, should he desire to appropriate any sum to such a purpose.

7th. Copies of the 8th, 9th, 10th, 14th, and 22nd Articles of these Regulations.

Any clause which shall purport to render invalid any of the provisions of this Regulation is null and void.

ARTICLE IX.

The term of each emigrant's engagement shall not exceed five years, at the expiration of which the sum stipulated in the contract shall be paid for him to cover the expense of his return to his country. In the event of his obtaining permission to remain without an engagement in this colony, this sum will be placed in his own hands.

It shall always be at the option of the emigrant to enter into a second engagement of five years, for which he shall be paid a premium equivalent to one-half the cost of his return to China. In such a case the sum destined to cover the expense of his return home shall not be paid until the expiration of his second engagement.

Every emigrant who may become invalided and incapable of working shall be allowed, without waiting for the expiration of his contract, to claim before the legal Courts of the colony or territory where he may be, payment on his behalf of the sum destined to cover the expense of his return to China.

ARTICLE X.

The emigrant shall in no case be forced to work more than six days out of seven, nor more than nine hours and a half in the day.

[Chinese Emigrants.]

The emigrant shall be free to arrange with his employer the conditions of work by the piece or job, and of all extra labour undertaken during days and hours set apart for rest.

The obligation on holidays to attend to cattle, or to do such services as the necessities of daily life may demand, shall not be considered as labour.

ARTICLE XI.

No engagement to emigrate entered into by any Chinese subject under 20 years of age, will be valid unless he produce a certificate from the proper Chinese authorities stating that he has been authorized to contract such engagement by his parents, or, in a default of his parents, by the magistrate of the port at which he is to embark.

ARTICLE XII.

After four days, but not less, from the date of the entry of the emigrant's name on the register of the agency, the officer deputed by the Chinese Government being present, the contract shall be read to the emigrant, and he shall be asked whether he agrees to it, and having answered in the affirmative, he shall then and there append his signature thereto.

ARTICLE XIII.

The contract once signed, the emigrant is at the disposal of the agent, and must not absent himself from the dépôt without the permission of the agent.

Before embarking, every emigrant shall be called before the officer deputed by the Chinese authorities to ratify his contract, which shall be registered at the Consulate.

Twenty-four hours before the sailing of the ship, the emigrants shall be mustered on board before the Consul and the Inspector of Customs, or their deputies; and the list shall be finally closed for signature and registration by the Consul and the Inspector.

Any individual refusing to proceed after this muster shall be bound to repay the expenses of his maintenance in the Emigration Dépôt at the rate of one hundred cash (one-tenth of a tael) per diem. In default of payment he shall be handed over to the Chinese Magistrate to be punished according to the laws.

ARTICLE XIV.

Any sum handed over to the emigrant before his departure shall only be regarded in the light of the premium upon his engagement. All advances upon his future wages are formally forbidden except in the case of their being appropriated to the use of his family, and the Consul will take especial pains and provide against their being employed in any other way. Such advances shall not

[Chinese Emigrants.]

exceed six months' wages, and shall be covered by a stoppage of one dollar per month until the entire debt shall have been paid.

It is absolutely forbidden, whether on the voyage or during the emigrant's stay in the colony or territory in which he may be employed, to make any advances to him in money or kind payable after the expiration of his engagement. Any agreement of this nature shall be null and void, and shall give the creditor no power to oppose the return of the emigrant to his country at the time fixed by the contract.

ARTICLE XV.

The emigrant during his stay in the depôt shall be bound to conform to the regulations adopted for its internal economy by the Consul and the Chinese authorities.

ARTICLE XVI.

Any emigrant who may be riotous or guilty of any misconduct shall be immediately locked up until the arrival of the officers deputed by the Chinese authorities, to whom he will be handed over to be punished in conformity with the laws of the Empire; the officers of the agency being in no case authorized to take the law into their own hands and inflict any punishment.

ARTICLE XVII.

The deputies of the Consul and of the Chinese authorities shall at all times be empowered to demand admittance to the Agency, and to summon the emigrants before them for the purpose of interrogation.

They will be present at the signing of the contracts and at the embarkation of the coolies.

They will see to the maintenance of order, to the healthiness and cleanliness of the rooms destined to receive the emigrants, to the separation of the families and women, and to the arrangements on board the transport ships.

They may at any time demand that experts or Medical Officers shall be called in, in order to verify any defects which they may have remarked; they may suspend the embarkation of emigrants in ships the arrangements on board of which may seem to them defective, and they may reject coolies afflicted with contagious diseases.

ARTICLE XVIII.

The Emigration Agent shall be bound to pay into the Customs Bank the sum of three dollars for every male adult entered on the list of coolies embarked, to meet the expenses of inspection.

ARTICLE XIX.

Any emigrant claimed by the Chinese Government as an offender against the law shall be handed over to the authorities, without opposition, through the Consul; and in such case the whole sum expended for the maintenance of the emigrants in the Agency or on board ship shall be repaid immediately to the Emigration Agent, at the rate of one hundred cash (one tenth of a tael) per diem.

The sum of the premium, advances, clothes, &c., entered in the Agency Register against such emigrant shall in like manner be repaid by the Chinese Government.

ARTICLE XX.

The Emigration Agent shall not be at liberty to embark emigrants on board any ship which shall not have satisfied the Consul that, in respect of its internal economy, stores, and sanitary arrangements, all the conditions required by the laws of the country to which the said ship may belong are fulfilled.

Should the Chinese authorities, upon the reports of the officers deputed by them, conceive it their duty to protest against the embarkation of a body of emigrants in a ship approved by the Consuls, it shall be in the power of the Customs to suspend the granting of the ship's port-clearance until further information shall have been obtained, and until the final decision of the Legation of the country to which the suspected ship belongs shall have been pronounced.

ARTICLE XXI.

On arrival of the ship at her destination, the duplicate of the list of emigrants shall be presented by the Captain, to be viséd by his Consul and by the local authorities.

In the margin and opposite to the name of each emigrant, note shall be made of deaths, births, and diseases during the voyage, and of the destination assigned to each emigrant in the colony or territory in which he is to be employed.

This document shall be sent by the Emigration Agent to the Consul at the port at which the emigrants embarked, and by him delivered to the Chinese authorities.

ARTICLE XXII.

In the distribution of the emigrants as labourers, the husband shall not be separated from his wife, nor shall parents be separated from their children being under 15 years of age.

No labourer shall be bound to change his employer without his consent, except in the event of the factory or plantation upon which he is employed changing hands.

His Imperial Highness the Prince of Kung has further declared

in the name of the Government of his Majesty the Emperor of China:—

1st. That the Chinese Government throws no obstacle in the way of free emigration, that is to say, to the departure of Chinese subjects embarking of their own free will and at their own expense for foreign countries, but that all attempts to bring Chinese under an engagement to emigrate, otherwise than as the present Regulations provide, are formally forbidden, and will be prosecuted with the extreme rigour of the law.

2nd. That a law of the Empire punishes by death those who, by fraud or by force, may kidnap Chinese subjects for the purpose of sending them abroad against their will.

3rd. That whereas the operations of Emigration Agents with a view to the supply of coolie labour abroad are authorized at all open ports, when conducted in conformity with these Regulations, and under the joint supervision of the Consuls and the Chinese authorities, it follows that where this joint supervision cannot be exercised, such operations are formally forbidden.

These declarations are here placed on record in order that they may have the same force and validity as the Regulations contained in the 22 Articles foregoing.

Done and signed at Peking in triplicate, the 5th of March, 1866.

(L.S.) RUTHERFORD ALCOCK.

Seal and Signature of PRINCE KUNG.

(L.S.) HENRY DE BELLONET.

(No. 11.) *SUPPLEMENTARY CONVENTION to the Treaty of Commerce and Navigation of 26th June, 1858, between Great Britain and China. Signed at Peking, 23rd October, 1869.**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of China, desiring to secure the better execution of the Treaty of Commerce concluded between them on the 26th of June, 1858 (No. 6), have resolved, in accordance with the provision made in the XXVIIIth Article, to the effect "that either of the High Contracting Parties may demand a further revision of the Tariff and of the Commercial Articles of that Treaty at the end of ten years," to negotiate a complementary arrangement, and they have for that purpose named as their Plenipotentiaries, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Rutherford Alcock, Knight Commander of the Most Honourable Order of the Bath, Her said Majesty's

* Parliamentary Paper, China, No. 1 (1870). This Convention was not ratified. See Chefoo Agreement, 18th September, 1876 (No. 12.)

Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China;

And His Majesty the Emperor of China, His Imperial Highness (Ho-shuo) Prince of Kung; Wên Hsiang, President of the Board of Civil Office; Pao Chün, President of the Board of Revenue; Tung Hsün, President of the Board of Revenue; Tan Ting Hsiang, President of the Board of Punishment; and Chung Lün, President of the Colonial Office;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:—

ARTICLE I.

Most-favoured-nation Treatment accorded to British Subjects.

China having agreed that British subjects shall participate in all advantages accorded by Treaty to the subjects of other Powers, it is further agreed that British subjects desiring to participate in the advantages accorded by Treaty to the subjects of other Powers shall participate in such advantages on the same conditions on which they have been accorded to, and are participated in by, the subjects of such other Powers.

ARTICLE II.

Appointment of Consuls.

China having agreed that England may appoint Consuls to reside at every port open to trade, it is further agreed that China may appoint Consuls to reside at all ports in the British dominions.

The Consuls so appointed shall respectively be entitled to the treatment accorded to the most favoured nation.

ARTICLE III.

Payment of Import and Transit Duties.

It is agreed that commodities of the following classes and denominations, viz., cottons, linens, woollens, woollen and cotton mixtures, &c., &c., imported by British merchants, shall pay both import duty and transit due simultaneously at the time of importation.

Exemption from all other Taxes and Charges.

On the other part, China agrees that the above-mentioned commodities, imported by British merchants and having paid import duty and transit due simultaneously at the time of importation, shall be exempt from all other taxes and charges whatsoever in Treaty-port provinces.

ARTICLE IV.

Payment of Inland Dues, &c., on Native Produce purchased in the Interior.

It is agreed that native produce purchased in the interior by British merchants furnished with the documents prescribed by the Supplementary Regulations, shall pay all inland dues and charges on its way to the Treaty Port.

On the other part, China agrees that any such native produce having paid all inland dues and charges on the way to the port from the place of purchase, shall be entitled to the return of any amount that may have been thus paid over and above the Treaty transit due (half export duty), provided exportation by British merchants to a foreign port takes place within twelve months.

It is further agreed that native produce shipped to another Treaty Port shall not be entitled to such refund.

ARTICLE V.

Chinese Produce shipped from Hong Kong to a Treaty Port.

It is agreed that Chinese produce shipped from Hong Kong to a Treaty Port shall not be carried inland under the transit rule, but shall pay dues, duties, and inland charges like all other native produce at all barriers passed.

Native Produce shipped from Treaty Ports to and from Hong Kong.

On the other part, China agrees to issue to native produce shipped by British merchants from Treaty Ports to Hong Kong the ordinary export duty proofs, and to collect on such produce, on arrival at a second Treaty Port, the ordinary coast trade (half import) duty.

ARTICLE VI.

Wenchow to be a Treaty Port.

It is agreed that the port of Wenchow, in Chê-kiang, shall be opened to British trade (see No. 12, § III (i)).

Kiungchow [Hainan] not to be a Treaty Port,

and that Kiungchow [Hainan], named in the Treaty of Tientsin (No. 6, Art. XI) shall be removed from the list of Treaty Ports.

ARTICLE VII.

Payment of Tonnage Dues.

It is agreed that British merchant vessels shall not be called on to pay tonnage dues oftener than once in the four months.

On the other part, England agrees that British merchant vessels of every description, whether used for the transport or

[Commerce, &c.]

storage of merchandise, conveyance of passengers, or residence (merchant ships, hulks, chops, &c.), as well as of craft of the Chinese type, owned by British subjects, shall pay tonnage dues according to their tonnage, if trading from port to port, on the expiration of their special certificates, and if used as hulks in port on the expiration of the term of four months, as the case may be.

ARTICLE VIII.

Ships' Manifests.

It is agreed that all British merchant vessels shall report to the Customs their port of destination, and shall hand in export manifests when about to clear.

On the other part, China agrees that the amount of any fine for false manifests where British subjects are concerned shall be determined in accordance with the special circumstances, and shall not in any case exceed the sum of 500 taels.

ARTICLE IX.

Fines and Confiscations for Breaches of Customs Regulations.

It is agreed that in all cases of fines arising out of breaches of Customs Regulations, the Superintendent or the Commissioner of Customs may have a seat on the bench, and take part with the British Consul in inquiring into the case.

And that in all cases of confiscation arising out of breaches of Customs Regulations the British Consul may have a seat on the bench with the Superintendent or the Commissioner of Customs, and take part in inquiring into the case.

Commercial Code.

It is further agreed that England and China shall in consultation draw up a Commercial Code.

ARTICLE X.

Pilots.

On the one part China agrees to issue licences to pilots.

On the other part England agrees to punish British subjects piloting, or who employ persons to pilot, not having licences.

Restraint of Crews of Ships.

It is further agreed that effect shall be given to the stipulation of the Treaty of Tientsin that, "for the due restraint of crews of ships, regulations will be drawn up by the Consuls and the local authorities."

ARTICLE XI.

Drawbacks.

It is agreed that drawbacks issued to foreign goods re-exported by British merchants to foreign countries within three months from the date of importation shall be convertible (at the Haikwan bank) into cash.

On the other part, England agrees that foreign goods, re-exported by British merchants to foreign countries after the expiration of three years from the date of importation, shall not be entitled to drawback of import duty.

ARTICLE XII.

Opium.

It is agreed that opium shall pay import duty at an increased rate.

On the other part, China agrees:—

Passports. British Subjects visiting non-Treaty Ports or Places in the Interior.

1. That British subjects holding passports may use their own vessels, resembling Chinese craft, and propelled by oars or sails, when visiting non-Treaty Ports or places in the interior.

Bonded Warehouses.

2. That bonded warehouses shall be established for British subjects at such Treaty Ports as may be expedient.

Trading at Kiukiang.

3. That the Superintendent of Customs at Kiukiang shall provide a tug for the use of British-owned Chinese-like boats on the Poyang, and in the vicinity of Hukow.

Bonds for Re-exportation of Teas.

4. That bonds entered into by British merchants for the re-export of teas shipped from Yang-tsze ports shall as an experiment be done away with.

Opening of Coal Mines.

5. That the Imperial Commissioner in the south shall open coal mines at two or three places; and

Reduction of Duty on Native Coal.

6. That the duty on native coal, exported by British merchants from the southern ports, shall be reduced.

ARTICLE XIII.

Export Duty on Silk.

It is agreed that silk shall pay export duty at an increased rate. On the other part, China agrees:—

Wuhu to be opened to Trade.

1. That Wuhu, in Anhui, shall be opened to British trade.

Re-exportation of Foreign Grain.

2. That foreign grain may be re-exported, and without payment of duty, by British merchants.

Duty-free Goods.

3. That materials used by British subjects in docks for the repairs of British vessels shall be exempt from duty.

4. That the list of duty-free goods for British household use and ships' stores shall be revised.

Foreign Coal and Guano.

5. That foreign coal and guano imported by British merchants shall be exempt from duty; and

Reduction of Import Duties on certain Articles.

6. That import duties shall be reduced on watches, pepper, black and white, tin plates, and timber imported by British subjects.

ARTICLE XIV.

Rules for fixing relation of Sycee to Customs Standard.

It is agreed that each Custom-House shall draw up rules fixing the touch of Sycee to be received in the payment of duties by the bank at each port.

It is further agreed that the various documents issued to British subjects (transit papers, passports, &c.) shall be returnable on the expiration of one year from the date of issue.

ARTICLE XV.

Confirmation of Articles not hereby revised.

It is agreed on both parts that the Articles untouched by the present revision shall be hereby declared to be renewed and confirmed, and that the revised version shall rule in the case of such Articles as the present revision affects.

ARTICLE XVI.

*Convention to be ratified.**

The present Convention shall be ratified, and the ratification shall be exchanged at Peking as soon as possible. In witness whereof the respective Plenipotentiaries have signed the present Convention, the Supplementary Regulations appended, and the Tariff affecting goods in respect of which duties have been hereby changed; and have appended thereto their seals.

Done at Peking in quadruplicate this 23rd day of October, in the year of our Lord 1869.

(L.S.) RUTHERFORD ALCOCK.

(L.S.) [Signatures of Chinese Plenipotentiaries.]

SUPPLEMENTARY RULES AND TARIFF.

Whereas it is expedient that Supplementary Regulations should be drawn up for the better explanation of the Articles of this Convention, the respective Plenipotentiaries do hereby agree that the appended Tariff and Rules—the latter being in 10 Articles hereinunder following—shall be equally binding on the Governments and subjects of both countries with the Convention itself.

In witness whereof they affix their seals and signatures.

(L.S.) RUTHERFORD ALCOCK.

(L.S.) [Signatures of Chinese Plenipotentiaries.]

Rule I.—*Imports specified, of unmistakable foreign origin, to circulate freely in Treaty-port Provinces after simultaneous payment of Import Duty and Transit Dues.*

1. The Convention permits certain specified commodities of foreign origin, viz, cottons, linens, woollens, woollen and cotton mixtures, &c., to circulate freely in Treaty-port provinces without further liability to inland dues or charges on payment simultaneously of import duty and transit due at the time of importation. When taken inland by British merchants in person, or by Chinese, the agents of British merchants, or by Chinese purchasers, while the British merchant will be required, as prescribed by the Treaty of Tientsin, to travel provided with the usual passport, the commodities aforesaid need not be accompanied by any transit certificate, and may be sold freely and at pleasure along the road, without being in any place called upon to pay further dues, duties, or inland charges. The various Customs stations passed by such commodities will, however, make such examination as is usual, in order to provide against fraudulent substitutions and the transport of prohibited articles.

* This Convention was not ratified. See Note, page 61.

Other foreign Imports in Treaty-port Provinces to be accompanied by Transit Certificates.

2. With the exception of those classes of commodities which are to pay import duty and transit due simultaneously, all other merchandise carried inland will continue to be exempt from all dues, duties, and charges *en route*, provided, having paid full import duty on importation and the tariff transit due when leaving the port to enter the interior, it is found to be accompanied by the ordinary proof of payment of the transit due, namely, a transit certificate.

Or to pay all Inland charges.

Such goods will be liable to all dues, duties, and charges, wherever found inland, if unaccompanied by transit certificates. Both British and Chinese merchants will be treated in accordance with the provisions herein set forth.

When both classes of Imports travel inland in Treaty-port Provinces in company, the former may be without Certificates, the latter to be certificated; or to pay all inland charges; and if uncertificated and not reported to be liable to confiscation.

3. When the commodities specified in the first clause of this Rule are carried inland in Treaty-port provinces, by either British or Chinese merchants, and when such commodities are accompanied by other foreign merchandise of the class provided for in the second clause of this Rule, the latter merchandise will be liable to all inland dues, duties, and charges, if not provided with transit certificates. Failure to report the presence of any such uncertificated merchandise, when passing Customs stations, or any attempt to defraud the revenue by carrying native produce in that guise, will subject all the goods of the same description to seizure and confiscation.

Foreign Imports specified in the First Clause to be certificated when carried to non-Treaty-port Provinces.

4. When commodities of the kinds specified in the first clause of this Rule, and which simultaneously paid import duty and transit due, are to be conveyed by either British or Chinese merchants to non-Treaty-port provinces, transit certificates should be procured from the Customs at the port started from, on the face of which will be distinctly set forth the name of the place for which the said commodities are destined. On their way from the port to the place thus set forth in the certificate, such certificated commodities will be exempt from all liability to inland charges, dues, or duties.

Transit Certificates in Treaty-port, and also in non-Treaty-port, Provinces cease to be a protection on the arrival of the Goods at the destination specified in the Certificate.

But in the event of its being discovered by any Customs station that may make examination that the merchandise contained in the packages is different from the commodities set forth in the certificate, or that the certificate is for a *less* quantity than it is accompanied by, the goods concerned will be confiscated. On the arrival of such duly certificated commodities at the place set forth in the certificate, the certificate will become invalid, and the commodities, having arrived at their place of destination, will be liable to whatever inland charges, dues, or duties the locality they are found in collects, and will thenceforth be treated like native produce in the localities concerned.

Rule II.—*Native Produce to pay all inland charges en route to a port.*

1. British merchants, whether going in person or sending Chinese agents into the interior for the purchase of native produce, should first obtain from the Customs a blank memorandum. The native produce purchased will be liable to all inland charges, dues, and duties on the way to the port, just like any other Chinese goods in Chinese hands.

Receipts to be given for all payments.

On the other hand, each Customs station or barrier will be required to certify to the receipt of the amount of dues, duties, or charges there collected, by making an official and duly sealed entry on the face of the blank memorandum. Any sale *in transitu* of the native produce to which the blank memoranda refer, will be punishable in accordance with the regulations.

Over-payments to be returned, and short payments to be made up, if sent foreign within 12 months.

2. On the arrival of such native produce on the last barrier, the merchant is to report his arrival to the Commissioner of Customs, and the goods are to await examination. The memorandum brought back from the interior is at the same time to be deposited with the Customs. Should such native produce be exported to a foreign port (Hong Kong excepted) within 12 months from the date of arrival, the exporter will, at the time of exportation, pay the usual export duty; and—as regards inland charges—while on the one hand the exporter will be called on to make up the amount by which the sums entered on the memorandum fall short of a Treaty transit-due (half export duty), on the other the Customs will refund to the exporter the amount by which such sums exceed the Treaty transit-due. Should the produce be shipped for conveyance to a Treaty Port, no make-up will be called for and no refund allowed.

Rule III.—*Drawbacks received in payment of other Duties.*

Foreign goods re-exported to a foreign country within 36 months from the date of arrival, if found to be in their original packages, with marks and numbers unchanged, will be entitled to receive the refund of the sum paid as import duty by a drawback, which shall be a valid tender for payment of other duties (tonnage dues excepted). Goods re-exported after the expiration of the said 36 months shall not be entitled to receive such drawback.

Convertible into Cash, i.e., Silver.

If re-exported within three months from the date of arrival, a drawback certificate will be issued at the Custom-House, which, on presentation at the Customs Bank, will be converted into cash. Goods re-exported after the expiration of the said term of three months will not be entitled to receive such convertible drawbacks.

As regards native produce, drawbacks for coast-trade duty will continue to be issued when the produce is re-shipped within 12 months from the date of arrival. If re-shipped after the expiration of that term, native produce will not be entitled to any drawback of coast-trade duty.

Rule IV.—*Inland Certificates returnable within 13 months.*

British merchants will be allowed one month's grace for the return of such documents as they may have taken out when going inland (passports, transit passes, &c.). All such documents become invalid on the expiration of 12 months from the date of issue; and, if not returned within 13 months from that date, the applications of the parties concerned for other documents will not be attended to.

Rule V.—*Bonded Warehouses.*

At such of the Treaty Ports as may be expedient, bonded warehouses will be established, and regulations for their working will be drawn up by the Inspector-General of Customs and the Superintendent of the port concerned. Where sufficient reasons for the non-establishment of such bonded warehouses exist, they will not be introduced.

Rule VI.—*Steam-tug on Poyang Lake.*

The Superintendent of Customs at Kiukiang will provide a steam-tug for the use of British merchants on the Poyang Lake and between Hankow and Kiukiang. The tug in question will be for the towing of British-owned vessels of the Chinese type, and a tariff of fees will be published, in accordance with which merchants whose boats may be towed will pay the Kiukiang Customs for that service.

Rule VII.—*British Merchants may use their own Vessels of Chinese type, and may rent lodgings, &c.*

British merchants who may go inland duly provided with passports to sell foreign goods, purchase native produce or carry native produce into the interior for sale are permitted to use their own vessels, if of the Chinese type and propelled by sail or oar, and, when in the interior, are permitted to rent for short periods either hotels or private houses where they may store their goods, but on which they are not to exhibit their Hong name or the style of their firm. Native produce purchased in the interior and entered on the memorandum for conveyance to a port, must not be sold in the interior. In the case of the inns or private houses thus rented from the Chinese, the British merchant is not to interfere to protect the landlord from the incidence of the taxes and charges for which his house or property is assessable. The Chinese of the locality must not annoy or maltreat the British merchant, and proclamations setting forth all that precedes have been prepared and will be sent to the Governors-General and Governors of the Provinces for publication everywhere.

As regards vessels of the Chinese type owned by British merchants and used by them to go to non-Treaty Ports or places in the interior, each such vessel must be registered at the Custom-House, where the Commissioner of Customs will issue a certificate of registration and the flag to be sailed under, the certificate to be countersealed by the Superintendent. Such vessels must exhibit the flag received from the Customs, and comply with the special rules and regulations drawn up for their management. Any vessel unprovided with a certificate of registration detected in the fraudulent use of a flag resembling the Customs flag, or flying the house flag of any foreign mercantile firm, or having a certificate and flying the flag of any foreign country, will be subject, with her cargo, to confiscation.

Rule VIII.—*Three Coal Mines to be worked experimentally—Kin-yung, Chu-kiang; and Lo-ping and Kelung, near the Poyang Lake.*

The Imperial Commissioner superintending foreign affairs in the South will inquire into the condition of Kin-yung, Lo-ping, and Kelung, and will depute officers to work the mines at those places as an experiment. The question of the employment of foreigners to assist in mining and of using foreign machinery will be left to be given effect to by the Imperial Commissioner. The coals produced will be for sale to British and Chinese merchants without distinction.

Rule IX.—*Household and Ships' Stores. Revised List of Duty-free Articles to be published.*

The Rules appended to the Tariff attached to the Treaty of Tientsin enumerated the articles that are to be admitted free

of duty for household use and as ships' stores. A revised list is to be drawn up by the Inspector-General of Customs, and will be hereto appended, of the articles that are thus to be admitted free for the use of British subjects. Should such articles be carried inland they will be dutiable, in accordance with the rule and practice that formerly obtained.

Rule X.—*Dock Stores to be admitted free of duty. List of Articles to be hereto appended.*

Docks owned by British merchants will be permitted to import such articles as they require for the repairs of ships free of duty. But on newly-built vessels there will be levied a duty of 5 per cent. *ad valorem*. Before being entitled to the privilege of importing their stores duty free, such docks must be registered at the Customs, and the owners must enter into such bonds as the Customs in question may consider necessary for the protection of the revenue. A list of the articles to be imported duty-free will be prepared by the Inspector-General of Customs, and appended hereto.

TARIFF.

Imports.

						T.	M.	S.	C.
Watches, émaillées à perles....	....	....	....	Per pair		4	5	0	0
" gold	....	....	....	"		1	0	0	0
" silver	....	....	....	"		0	5	0	0
Pepper, white	....	....	....	Per 100 catties		0	4	0	0
" black	....	....	....	"		0	2	0	0
Tin plates	....	....	....	"		0	2	0	0
Grain, foreign	Free, whether imported or exported, but to take out permits in accordance with the Customs regulations.								
Coal									
Guano									
Timber.	Reduction to be made after full inquiry at Shanghai.								
Opium	....	....	....	Per 100 catties		50	0	0	0
And to be dealt with in accordance with the special rules respecting that drug.									

Exports.

Silk, raw and thrown	....	....	....	Per 100 catties		20	0	0	0
" yellow, from Szechuen....	....	....	....	"		10	0	0	0
Coal, native (at the southern ports)	....	....	....	"		0	0	0	5
" (at the northern ports)	....	....	....	"		0	0	4	0

(L.S.) RUTHERFORD ALCOCK.

(L.S.) [Signatures of Chinese Plenipotentiaries.]

No. 12.]

GREAT BRITAIN AND CHINA.

[Sept. 15, 1876.

[Yunnan Case. Official Intercourse. Trade.] Chefoo.

(No. 12.) *AGREEMENT between Great Britain and China for the Settlement of the Yunnan Case, Official Intercourse, and Trade between the two Countries. Signed at Chefoo, 13th September, 1876.*

[Signed also in Chinese.]

With an Additional Article thereto for Regulating the Traffic in Opium. Signed in London, 18th July, 1885. (No. 14.)

[Ratifications exchanged at London, May 6, 1886.]

AGREEMENT negotiated between Sir Thomas Wade, K.C.B., Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of China, and Li, Minister Plenipotentiary of His Majesty the Emperor of China, Senior Grand Secretary, Governor-General of the Province of Chih-li, of the First Class of the Third Order of Nobility.

THE negotiation between the Ministers above named has its origin in a despatch received by Sir Thomas Wade, in the spring of the present year, from the Earl of Derby, Principal Secretary of State for Foreign Affairs, dated the 1st January, 1876. This contained instructions regarding the disposal of three questions: first, a satisfactory settlement of the Yunnan affair; secondly, a faithful fulfilment of engagements of last year respecting intercourse between the high officers of the two Governments; thirdly, the adoption of a uniform system in satisfaction of the understanding arrived at in the month of September, 1875 (8th moon of the 1st year of the reign Kwang Sü), on the subject of rectification of conditions of trade. It is to this despatch that Sir Thomas Wade has referred himself in discussions on these questions with the Tsung-li Yamên, further reference to which is here omitted as superfluous. The conditions now agreed to between Sir Thomas Wade and the Grand Secretary are as follows:—

SECTION I.—*Settlement of the Yunnan Case.**

1. A Memorial is to be presented to the Throne, whether by the Tsung-li Yamên or by the Grand Secretary Li, is immaterial; in the sense of the Memorandum prepared by Sir Thomas Wade. Before presentation the Chinese text of the Memorial is to be shown to Sir Thomas Wade.

2. The Memorial having been presented to the Throne, and the Imperial Decree in reply received, the Tsung-li Yamên will communicate copies of the Memorial and Imperial Decree to Sir Thomas Wade, together with a copy of a letter from the Tsung-li Yamên to the Provincial Governments, instructing them to issue a Proclamation that shall embody at length the above Memorial and

* For correspondence between Great Britain and China upon the Yunnan Case &c., 1875-1877, see "State Papers," Vol. 71, page 933.

Sept. 18, 1876.]

GREAT BRITAIN AND CHINA.

[No. 12]

Chefoo. [Yünnan Case. Official Intercourse. Trade.]

Decree. Sir Thomas Wade will thereupon reply to the effect that for two years to come officers will be sent by the British Minister, to different places in the provinces, to see that the proclamation is posted. On the application from the British Minister, or the Consul of any port instructed by him to make application, the high officers of the provinces will depute competent officers to accompany those so sent to the places which they go to observe.

Frontier Trade between Burmah and Yünnan.

3. In order to the framing of such regulations as will be needed for the conduct of the frontier trade between Burmah and Yünnan, the Memorial, submitting the proposed settlement of the Yünnan affair, will contain a request that an Imperial Decree be issued, directing the Governor-General and Governor, whenever the British Government shall send officers to Yünnan, to select a competent officer of rank to confer with them, and to conclude a satisfactory arrangement.

Stationing of British Officers at Tali Fu. Trade.

4. The British Government will be free for five years, from the 1st January next, being the 17th day of the 11th moon of the 2nd year of the reign of Kwang Sü, to station officers at Tali Fu, or at some other suitable place in Yünnan, to observe the conditions of trade; to the end that they may have information upon which to base the Regulations of trade when these have to be discussed. For the consideration and adjustment of any matter affecting British officers or subjects, these officers will be free to address themselves to the authorities of the province. The opening of the trade may be proposed by the British Government, as it may find best, at any time within the term of five years, or upon expiry of the term of five years.

Mission from India into Yünnan.

Passports having been obtained last year for a Mission from India into Yünnan, it is open to the Viceroy of India to send such Mission at any time he may think fit.

Amount of Indemnity to be paid by Chinese Government.

5. The amount of indemnity to be paid on account of the families of the officers and others killed in Yünnan; on account of the expenses which the Yünnan case has occasioned; and on account of claims of British merchants arising out of the action of officers of the Chinese Government up to the commencement of the present year, Sir Thomas Wade takes upon himself to fix at 200,000 taels, payable on demand.

Regret to be expressed by China at Yunnan Occurrence.

6. When the case is closed an Imperial letter will be written, expressing regret for what has occurred in Yunnan. The Mission bearing the Imperial letter will proceed to England immediately. Sir Thomas Wade is to be informed of the constitution of this Mission, for the information of his Government. The text of the Imperial letter is also to be communicated to Sir Thomas Wade by the Tsung-li Yamén.

SECTION II.—*Official Intercourse between High Officers in the Capital and the Provinces and between Consular Officers and Chinese Officials at the Ports;** *Judicial Proceedings in Mixed Cases.*

Under this heading are included the conditions of intercourse between high officers in the capital and the provinces, and between Consular officers and Chinese officials at the ports; also the conduct of judicial proceedings in mixed cases.

1. In the Tsung-li Yamén's Memorial of the 28th September, 1875, the Prince of Kung and the Ministers stated that their object in presenting it had not been simply the transaction of business in which Chinese and foreigners might be concerned; Missions abroad and the question of diplomatic intercourse lay equally within their prayer.

Code of Etiquette to be drawn up.

To the prevention of further misunderstanding upon the subject of intercourse and correspondence, the present conditions of both having caused complaint in the capital and in the provinces, it is agreed that the Tsung-li Yamén shall address a Circular to the Legations, inviting foreign Representatives to consider with them a code of etiquette, to the end that foreign officials in China, whether at the ports or elsewhere, may be treated with the same regard as is shown them when serving abroad in other countries, and as would be shown to Chinese Agents so serving abroad. (See No. 13.)

The fact that China is about to establish Missions and Consulates abroad renders an understanding on these points essential.

Arrest and Punishment of Chinese for Criminal Acts against British Subjects.

2. The British Treaty of 1858 (No. 6), Article XVI, lays down that "Chinese subjects who may be guilty of any criminal act towards British subjects shall be arrested and punished by Chinese authorities according to the laws of China."

* See Memorandum, 10th December, 1880 (No. 13).

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*Trial and Punishment of British Subjects for Criminal Acts
against Chinese.*

"British subjects who may commit any crime in China shall be tried and punished by the Consul, or any other public functionary authorized thereto, according to the laws of Great Britain.

"Justice shall be equitably and impartially administered on both sides."

The words "functionary authorized thereto" are translated in the Chinese text, "British Government."

British Supreme Court at Shanghai.

In order to the fulfilment of its Treaty obligations, the British Government has established a Supreme Court at Shanghai, with a special code of rules, which it is now about to revise.

*Chinese Mixed Court at Shanghai.**

The Chinese Government has established at Shanghai a Mixed Court, but the officer presiding over it, either from lack of power or dread of unpopularity, constantly fails to enforce his judgments.

Administration of Justice at Treaty Ports.

It is now understood that the Tsung-li Yamén will write a Circular to the Legations, inviting foreign Representatives at once to consider with the Tsung-li Yamén the measures needed for the more effective administration of justice at the ports open to trade.

Crimes affecting British Subjects.

3. It is agreed that, whenever a crime is committed affecting the person or property of a British subject, whether in the interior or at open ports, the British Minister shall be free to send officers to the spot to be present at the investigation.

To the prevention of misunderstanding on this point Sir Thomas Wade will write a note to the above effect, to which the Tsung-li Yamén will reply, affirming that this is the course of proceeding to be adhered to for the time to come.

Judicial Proceedings in Mixed Cases.

It is further understood that, so long as the laws of the two countries differ from each other, there can be but one principle to guide judicial proceedings in mixed cases in China, namely, that the case is tried by the official of the defendant's nationality, the official of the plaintiff's nationality merely attending to watch the proceedings in the interests of justice. If the officer so attending be dissatisfied with the proceedings, it will be in his power to protest against them in detail. The law administered will be the

* See Part IV (No. 129).

law of the nationality of the officer trying the case. This is the meaning of the words "hui t'ung," indicating combined action in judicial proceedings in Article XVI of the Treaty of Tientsin (No. 6), and this is the course to be respectively followed by the officers of either nationality.

SECTION III.—*Trade. Area within which Li-kin ought not to be Collected. Foreign Concessions.*

1.* With reference to the area within which, according to the Treaties in force, *li-kin* ought not to be collected on foreign goods at the open ports, Sir Thomas Wade agrees to move his Government to allow the ground rented by foreigners (the so-called Concessions) at the different ports to be regarded as the area of exemption from *li-kin*;

Ichang, Wuhu, Wenchow, and Pakhoi to be opened to Trade.

And the Government of China will thereupon allow I-ch'ang in the Province of Hu-Pei, Wu-hu in An-Hui, Wên-Chôw in Che-Kiang, and Pei-hai (Pak-hoi) in Kwang-tung, to be added to the number of ports open to trade, and to become Consular stations.

Residence of British Officers at Chungking to watch British Trade.

The British Government will, farther, be free to send officers to reside at Ch'ung K'ing to watch the conditions of British trade in Ssu-Ch'uen. British merchants will not be allowed to reside at Ch'ung K'ing, or to open establishments or warehouses there, so long as no steamers have access to the port. When steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration. (See No. 18.)

Tatung, Nganking, Hu-Kou, Wu-Such, Luchikou, and Shashih to be opened as Ports of Call.

It is further proposed as a measure of compromise that at certain points on the shore of the Great River, namely, Ta-t'ung, and Ngan-Ching,† in the Province of An-Hui; Hu-K'ou, in Kiang-Si; Wu-süeh, Lu-chi-k'ou, and Sha-shih,‡ in Hu-Kuang; these being all places of trade in the interior, at which, as they are not open ports, foreign merchants are not legally authorized to land or ship goods; steamers shall be allowed to touch for the purpose of landing or shipping passengers or goods, but in all instances by means of native boats only, and subject to the regulations in force affecting native trade.

* See Additional Article, 18th July, 1885 (No. 14).

† Nganking (Anking). See Treaty of 5th-September, 1902 (No. 28), Article VIII, Section 12.

‡ Opened to trade by Treaty of Shimonoseki (No. 62), Article VI.

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GREAT BRITAIN AND CHINA.

[No. 12.]

Cheloo.

[Yunnan Case. Official Intercourse. Trade.]

Collection of Li-kin Duty at Ports of Call.

Produce accompanied by a half-duty certificate may be shipped at such points by the steamers, but may not be landed by them for sale. And at all such points, except in the case of imports accompanied by a transit duty certificate, or exports similarly certificated, which will be severally passed free of *li-kin* on exhibition of such certificates, *li-kin* will be duly collected on all goods whatever by the native authorities.

Non-residence of Foreign Merchants at Ports of Call.

Foreign merchants will not be authorized to reside or open houses of business or warehouses at the places enumerated as ports of call.

Foreign Settlement Areas.

2.* At all ports opened to trade, whether by earlier or later agreement, at which no settlement area has been previously defined, it will be the duty of the British Consul, acting in concert with his colleagues, the Consuls of other Powers, to come to an understanding with the local authorities regarding the definition of the foreign settlement areas.

Importation of Opium. Import Duty and Li-kin.

3.* On Opium, Sir Thomas Wade will move his Government to sanction an arrangement different from that affecting other imports (see NO. 7). British merchants, when Opium is brought into port, will be obliged to have it taken cognizance of by the Customs, and deposited in bond, either in a warehouse or a receiving hulk, until such time as there is a sale for it. The importer will then pay the Tariff duty upon it, and the purchasers the *li-kin*, in order to the prevention of the evasion of the duty. The amount of *li-kin* to be collected will be decided by the different Provincial Governments, according to the circumstances of each.

Transit Duty Certificates. Exemptions.

4. The Chinese Government agrees that transit duty certificates shall be framed under one rule at all ports, no difference being made in the conditions set forth therein; and that, so far as imports are concerned, the nationality of the person possessing and carrying these is immaterial. Native produce carried from an inland centre to a port of shipment, if *bond fide* intended for shipment to a foreign port, may be, by Treaty, certificated by the British subject interested, and exempted by payment of the half-duty from all charges demanded upon it *en route*. If produce be not the property of a British subject, or is being carried to a port not for exportation, it is not entitled to the exemption that would

* See Additional Article, 18th July, 1885 (No. 14).

be secured it by the exhibition of a transit duty certificate. The British Minister is prepared to agree with the Tsung-li Yamèn upon rules that will secure the Chinese Government against abuse of the privilege as affecting produce.

Carriage of Imports Inland and of Native Produce purchased Inland.

The words "nei ti," inland, in the clause of Article VII of the Rules appended to the Tariff (NO. 7), regarding carriage of imports inland, and of native produce purchased inland, apply as much to places on the sea coasts and river shores as to places in the interior not open to foreign trade; the Chinese Government having the right to make arrangements for the prevention of abuses thereat.

Drawbacks on Duty-paid Imports. Time Limit.

5. Article XLV of the Treaty of 1858 (No. 6) prescribes no limit to the term within which a drawback may be claimed upon duty-paid imports. The British Minister agrees to a term of three years, after expiry of which no drawback shall be claimed.

Date of giving Effect to foregoing Stipulations.

6. The foregoing stipulation, that certain ports are to be opened to foreign trade, and that landing and shipping of goods at six places on the Great River is to be sanctioned, shall be given effect to within six months after receipt of the Imperial Decree approving the Memorial of the Grand Secretary Li. The date for giving the effect to the stipulations affecting exemption of imports from *li-kin* taxation within the foreign settlements, and the collection of *li-kin* upon Opium by the Customs Inspectorate at the same time as the Tariff duty upon it, will be fixed as soon as the British Government has arrived at an understanding on the subject with other foreign Governments.*

Interference of Canton Customs Revenue Cruisers with Junk Trade of Hong Kong.

7. The Governor of Hong Kong having long complained of the interference of the Canton Customs Revenue cruisers with the junk trade of that Colony, the Chinese Government agrees to the appointment of a Commission, to consist of a British Consul, an officer of the Hong Kong Government, and a Chinese official of equal rank, in order to the establishment of some system that shall enable the Chinese Government to protect its revenue without prejudice to the interests of the Colony.†

* See Additional Article, 18th July, 1895 (No. 14).

† See Agreement, 11th September, 1896 (No. 16).

[Personal Relations and Official Intercourse.]

*Separate Article. British Mission to Tibet.**

Her Majesty's Government having it in contemplation to send a Mission of Exploration next year by way of Peking through Kan-Su and Koko-Nor, or by way of Ssu-Ch'uen to Thibet, and thence to India, the Tsung-li Yamén having due regard to the circumstances will, when the time arrives, issue the necessary passports, and will address letters to the high provincial authorities and to the Resident in Thibet. If the Mission should not be sent by these routes, but should be proceeding across the Indian frontier to Thibet, the Tsung-li Yamén, on receipt of a communication to the above effect from the British Minister, will write to the Chinese Resident in Thibet, and the Resident, with due regard to the circumstances, will send officers to take due care of the Mission; and passports for the Mission will be issued by the Tsung-li Yamén, that its passage be not obstructed.

Done at Chefoo, in the Province of Shan-tung, this 13th day of September, in the year of our Lord 1876.

(L.S.) THOMAS FRANCIS WADE.

(L.S.) LI HUNG-CHANG.

(No. 13.) *AGREEMENT between the British Minister at Peking and the Yamén respecting Personal Relations and Official Correspondence between Provincial Authorities and Consular Officers. 10th December, 1880.*

*Protocol on Official Intercourse.**Peking, 7th November, 1879.*

THE report of the Committee upon official intercourse having been this day read before a general meeting of the Representatives of Treaty Powers assembled in Peking, it was agreed that the attention of the Chinese Government should be invited to the propositions therein contained; but verbally, and not in correspondence.

THOMAS FRANCIS WADE.

M. VON BRANDT.

GEORGE F. SEWARD.

J. H. FERGUSON.

J. F. ELMORE.

FERD. DE LUCA.

HOFFER DE HOFFENFELS.

A. KOYANDER.

RAMON GUTIERREZ Y OSSA.

PATENOTRE.

UMB. SERRUYS.

* See Conventions, 24th July, 1886, and 17th March, 1890 (Nos. 15 and 17).

Inclosures.

(1.) *Report of the Committee on Official Intercourse.*(2.) *Draft Memorandum to be left at the Yamén by Mr. Brennan.*

Peking, 22nd January, 1880.

THERE are certain improvements in the conditions of personal relations and of official correspondence between provincial authorities and Consular officers which the foreign Representatives now in Peking would wish to suggest to the Ministers of the Yamén.

The foreign Representatives are of opinion that, whether at a port or in the interior, a Consular officer having occasion to speak to the Governor-General or Governor of a province should be assured access to the high authority, and that when admitted into his Yamén he should be treated as a visitor, and not as the subordinate of the Chinese official.

In correspondence between Consular officers and provincial authorities the foreign Representatives would recommend the use of a form which does not suggest the existence of official subordination or the reverse between the persons engaged in the correspondence. They are of opinion that the form *wén yi* satisfies these conditions, and they would be glad to see it used instead of the forms now employed in all correspondence passing between Consular officers and provincial authorities, without regard to their rank.

In official communications the Consular officer is occasionally addressed or referred to as *kai ling shih*; it would, in the opinion of the foreign Representatives, be an improvement if, when the Consul is addressed, the word *keui* was substituted, and when he is referred to the name of the Consul was prefixed.

In written instructions from a higher to a lower official, red circles are drawn on the document to indicate that it is in the nature of a command. When a foreign official is addressed these marks are without meaning, and should not be used.

The above is submitted to the Ministers of the Yamén as a general statement of the changes desired. The details can be more fully considered in conference.

(3.) *Translation of Memorandum on Official Intercourse handed to Sir T. Wade by the Ministers of the Yamén, 24th September, as amended 13th November, 1880.*

THE Yamén have answered, clause by clause, the memorandum on the subject of forms of official intercourse received by them some time since.

[Personal Relations and Official Intercourse.]

As, however, the British Minister did not appear to be fully satisfied with this reply, and repeatedly urged at personal interviews such consideration of the question as would satisfactorily dispose of it, the Yamen have now drawn up a further set of propositions on the subject, which are as follows:—

(1.) [It was proposed that] “whether at a port or in the interior, a consular officer having occasion to speak to the Governor-General or Governor of a province, should be assured access to the high authority, and that when admitted into his Yamen he should be treated as a visitor and not as the subordinate of the Chinese official.” At this moment in the provinces the Governors-General, Governors, and *Taotais*, even though the rank [of the foreign official] be not the same as theirs, invariably treat [the foreign official] in interviews with the forms due to a visitor.

Henceforward, whenever [the foreign officials] have business with them, it shall be equally incumbent on [the high authorities] to receive them, and whenever they are so received the forms observed shall be as between host and guest.

(2.) [It was proposed that] “in correspondence between Consular Officers and Provincial Authorities, a form should be used which does not suggest the existence of official subordination or the reverse between the persons engaged in the correspondence. The form *Wên-yi* seemed to the foreign representatives to satisfy these conditions, and they would be glad to see it used, instead of the forms now employed, in all correspondence passing between Consular Officers and Provincial Authorities, without regard to their rank.”

There is a difference between the Treaties of different Powers. In some it is stipulated that “Consuls and Acting Consuls shall rank with Intendants of Circuit; and that Vice-Consuls, Acting Vice-Consuls, and Interpreters shall rank with Prefects, and shall communicate with these officers, either personally or in writing, on a footing of equality.” This stipulation is especially intended to indicate the conditions of relative rank, and it would not be expedient for officers in the position of Governors-General and Governors, to use the form *Wên-yi* to Consuls and other officers indiscriminately. As, however, the constitution is not, in point of fact, seriously affected in this matter, some compromise should naturally be made, and it is now proposed that, while in ordinary official matters Consuls shall continue to address the *Taotai* in the *chao-hui* form, and the latter shall, on behalf of the Consul, report (*chuan shên*) to the Governor-General or Governor, who will continue to instruct the *Taotai*—direct communication between the higher official and the Consul being thereby diminished—on all matters of importance, the form of correspondence shall, without reference to the rank of the parties, be the “*chao-hui*,” or communication.

(3.) It was proposed that, “in official correspondence the Consul should be addressed as ‘*kwei ling shih*,’ and when he is referred to, that the name of the Consul should be prefixed.” Also that

"as the circles and marks drawn on instructions from a higher official to a lower indicate that it is in the nature of a command, they should not be used in addressing a foreign official."

As there is no constitutional objection to either of the propositions, both may be acted upon.

The order of proceeding in the above propositions is agreed to by way of compromise, the motive whereof is a sincere desire to consolidate and improve friendly relations.

(4.) *The Prince of Kung in reply to the British Minister.*

10th December, 1880.

ON the 21st of November, 1879, a Note was received from the British Minister [and his colleagues the representatives of the Treaty Powers] to the effect that "the undersigned had been engaged in conference upon certain matters [indicated] which might be said to include [almost every question] to which attention seemed to be demanded, whether for the removal of what might be characterised as a grievance, or for the introduction of changes that would modify what was, in appearance, either unreasonable or inexpedient; and [the undersigned] would shortly be prepared to lay before the Yamén the conclusions at which their deliberations had enabled them to arrive."

The Yamén replied to this Note on the 26th of November, and subsequently held frequent consultations with the British Minister. A memorandum was also drawn up, and forwarded to him in a semi-official Note, dated 20th November, 1880.

On the 24th of November* a semi-official Note was received from the British Minister to the effect that he had communicated this memorandum to his colleagues, who had decided to accept it, and he now had to request that it might be officially communicated to each of the foreign Representatives. The Yamén has written to all the provincial high authorities to inform their respective subordinates [of the changes that are now to be introduced], and they have further to communicate officially to the British Minister a copy of the memorandum in question.

* By a clerical error, the 23rd December is the date given.

July 18, 1885.]
London.

GREAT BRITAIN AND CHINA:
[Opium Trade.]

[No. 14]

(No. 14.) *ADDITIONAL ARTICLE to the Agreement between Great Britain and China signed at Chefoo on the 13th September, 1876. Signed at London, 18th July, 1885.**

[Signed also in Chinese.]

[Ratifications exchanged at London, May 6, 1886.]

Area within which Li-kin ought not to be collected on Foreign Goods.

THE Governments of Great Britain and of China, considering that the arrangements proposed in Clauses 1 and 2 of Section III of the Agreement between Great Britain and China, signed at Chefoo on the 13th September, 1876 (hereinafter referred to as the "Chefoo Agreement") (No. 12), in relation to the area within which *li-kin* ought not to be collected on foreign goods at the open ports, and to the definition of the foreign Settlement area, require further consideration;

Traffic in Opium.

Also that the terms of Clause 3 of the same section are not sufficiently explicit to serve as an efficient regulation for the traffic in Opium, and recognizing the desirability of placing restrictions on the consumption of Opium, have agreed to the present Additional Article.

1. As regards the arrangements above referred to and proposed in Clauses 1 and 2 of Section III of the Chefoo Agreement (No. 12), it is agreed that they shall be reserved for further consideration between the two Governments.

*Treatment of Foreign Opium on its Importation into China.
Import and Li-kin Duties.*

2. In lieu of the arrangement respecting Opium proposed in Clause 3 of Section III of the Chefoo Agreement (No. 12), it is agreed that foreign Opium, when imported into China, shall be taken cognizance of by the Imperial Maritime Customs, and shall be deposited in bond, either in warehouses or receiving-hulks which have been approved of by the Customs, and that it shall not be removed thence until there shall have been paid to the Customs the Tariff duty of 30 taels per chest of 100 catties, and also a sum not exceeding 80 taels per like chest as *li-kin*.

Repacking in Bond.

3. It is agreed that, the aforesaid import and *li-kin* duties having been paid, the owner shall be allowed to have the Opium repacked in bond under the supervision of the Customs, and put into packages of such assorted sizes as he may select from such

* See also Agreement respecting Opium Trade at Hong Kong, 11th September, 1896 (No. 16). For Reports of the Committee of the House of Commons and Minutes of Evidence on the Opium Trade, 1894—1895, see Parliamentary Papers [O 7313] [O 7307] [O 7419] [O 7471] [O 7473] [O 7723] and [O 7751].

sizes as shall have been agreed upon by the Customs authorities and British Consul at the port of entry.

Transit Certificate.

The Customs shall then, if required, issue gratuitously to the owner a transit certificate for each such package, or one for any number of packages, at the option of the owner.

No Transport Duty to be Levied.

Such certificate shall free the Opium to which it applies from the imposition of any further tax or duty whilst in transport in the interior, provided that the package has not been opened, and that the Customs' seals, marks, and numbers on the packages have not been effaced or tampered with.

Certificates only Valid in Chinese Hands.

Such certificate shall have validity only in the hands of Chinese subjects, and shall not entitle foreigners to convey or accompany any Opium in which they may be interested into the interior.

Regulations respecting Issue of Transit Certificates.

4. It is agreed that the Regulations under which the said certificates are to be issued shall be the same for all the ports, and that the form shall be as follows :—

" Opium Transit Certificate.

" This is to certify that Tariff and li-kin duties at the rate of taels per chest of 100 catties have been paid on the Opium marked and numbered as under ; and that, in conformity with the Additional Article signed at London the 18th July, 1835, and appended to the Agreement between China and Great Britain signed at Chefoo the 13th September, 1876 (No. 12), and approved by the Imperial Decree printed on the back hereof, the production of this certificate will exempt the Opium to which it refers, wherever it may be found, from the imposition of any further tax or duty whatever, provided that the packages are unbroken, and the Customs' seals, marks, and numbers have not been effaced or tampered with.

" Mark.

No.

X

—

00 packages.

" Port of entry,

" Date

" Signature of Commissioner of Customs."

Respecting Taxation of Opium on opening of the Packages at place of Consumption.

5. The Chinese Government undertakes that when the package shall have been opened at the place of consumption the Opium

July 18, 1885.]

GREAT BRITAIN AND CHINA

[No. 14]

London.

[Opium Trade.]

shall not be subjected to any tax or contribution, direct or indirect, other than or in excess of such tax or contribution as is or may hereafter be levied on native Opium.

In the event of such tax or contribution being calculated *ad valorem* the same rate, value for value, shall be assessed on foreign and native Opium, and in ascertaining for this purpose the value of foreign Opium the amount paid on it for *li-kin* at the port of entry shall be deducted from its market value.

Additional Article to form part of Chefoo Agreement.

6. It is agreed that the present Additional Article shall be considered as forming part of the Chefoo Agreement (No. 12), and that it shall have the same force and validity as if it were inserted therein word for word.

Date of coming into Operation.

It shall come into operation six months after its signature, provided the ratifications have then been exchanged, or if they have not, then on the date at which such exchange take place.

Duration of Additional Article.

7. The arrangement respecting Opium contained in the present Additional Article shall remain binding for four years, after the expiration of which period either Government may at any time give twelve months' notice of its desire to terminate it, and such notice being given, it shall terminate accordingly.

Right of Great Britain to terminate Additional Article in event of Certificate not exempting Opium from Taxation.

It is, however, agreed that the Government of Great Britain shall have the right to terminate the same at any time, should the transit certificate be found not to confer on the Opium complete exemption from all taxation whatsoever whilst being carried from the port of entry to the place of consumption in the interior.

Opium Regulations of 1858 to revive in event of Termination of present Additional Article.

In the event of the termination of the present Additional Article the arrangement with regard to Opium now in force under the Regulations (No. 7)* attached to the Treaty of Tientsin shall revive.

Additional Article may be modified.

8. The High Contracting Parties may, by common consent, adopt any modifications of the provisions of the present Additional Article which experience may show to be desirable.

* See Rule 5. Page 87.

Smuggling from China into Hong Kong.

9. It is understood that the Commission provided for in Clause 7 of Section III of the Chefoo Agreement (No. 12) to inquire into the question of the prevention of smuggling into China from Hong Kong shall be appointed as soon as possible.

Chefoo Agreement and this Additional Article to be Ratified together.

10. The Chefoo Agreement, together with, and as modified by, the present Additional Article, shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the Undersigned, duly authorized thereto by their respective Governments, have signed the present Additional Article, and have affixed thereto their seals.

Done at London, in quadruplicate (two in English and two in Chinese), this 18th day of July, 1885, being the 7th day of the 6th moon in the 11th year of the reign of Kwang-Sü.

(L.S.) SALISBURY.

(L.S.) TSËNG.

Taxation of Opium. Right of British Government to withdraw from new Agreement and to revert to old System in event of other Powers not conforming to Provisions of Additional Article.

(1).—*The Marquess of Salisbury to the Marquess Tseng.*

M. le Ministre,

Foreign Office, 18th July, 1885.

I HAVE the honour to address the present note to you in order to place on record the fact that, with the view of carrying out the proposal made by your Government, the following understanding has been come to between the Governments of Great Britain and China in regard to the Additional Article to the Chefoo Agreement (No. 12) relative to Opium which has been signed this day:—

It is understood that it shall be competent for Her Majesty's Government at once to withdraw from this new arrangement, and to revert to the system of taxation for Opium at present in operation in China, in case the Chinese Government shall fail to bring the other Treaty Powers to conform to the provisions of the said Additional Article.

It is further understood that in the event of the termination of the said Additional Article, the Chefoo Agreement (No. 12), with the exception of Clause 3 of Section 3, and with the modifications stipulated in Clause 1 of the said Additional Article, shall nevertheless remain in force.

I have the honour to request that you will acknowledge the receipt of this note, informing me that the understanding recorded in it is accepted by the Chinese Government.

I have, &c.
SALISBURY.

July 24, 1886.]

GREAT BRITAIN AND CHINA.

[No. 13.]

[Burmah and Tibet.]

(2).—*The Marquess Tseng to the Marquess of Salisbury.*

My Lord, *Chinese Legation, London, 18th July, 1885.*

IN reply to your Lordship's note of this date, I have the honour to state that the Imperial Government accept the following as the expression of the understanding which has been come to between the Governments of Great Britain and China in regard to the Additional Article to the Chefoo Agreement (No. 12) relative to Opium, which has been signed this day:—

1. It is understood that it shall be competent for Her Majesty's Government at once to withdraw from this new arrangement and to revert to the system of taxation for Opium at present in operation in China, in case the Chinese Government shall fail to bring the other Treaty Powers to conform to the provisions of the said Additional Article.

2. It is further understood that, in the event of the termination of the said Additional Article, the Chefoo Agreement (No. 12), with the exception of Clause 3 of Section 3, and with the modifications stipulated in Clause 1 of the said Additional Article, shall nevertheless remain in force.

I have, &c.,
TSËNG.

(No. 15.) *CONVENTION between Her Britannic Majesty and His Majesty the Emperor of China relative to Burmah and Tibet.*
Signed at Peking, 24th July, 1886.

[Ratifications exchanged at London, August 25, 1887.]

WHEREAS Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, being sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires, and to promote and extend the commercial intercourse between their subjects and dominions, the following Convention has been agreed upon and concluded:—

On the part of Great Britain by Nicholas Roderick O'Connor, Esquire, Her Majesty's Secretary of Legation at Washington, and lately Her Majesty's Chargé d'Affaires in China, Companion of the Most Distinguished Order of St. Michael and St. George, duly empowered thereunto;

And on the part of China by his Highness Prince Ch'ing, President of the Tsung-li Yamén, and his Excellency Sun, Minister of the Tsung-li Yamén, Senior Vice President of the Board of Works.

ARTICLE I.

Decennial Missions from Burmah.

Inasmuch as it has been the practice of Burmah to send decennial missions to present articles of local produce, England

agrees that the highest authority in Burmah shall send the customary decennial missions, the members of the missions to be of Burmese race.

ARTICLE II.

British Authority and Rule in Burmah.

China agrees that, in all matters whatsoever appertaining to the authority and rule which England is now exercising in Burmah, England shall be free to do whatever she deems fit and proper.

ARTICLE III.*

Frontier between Burmah and China.

The frontier between Burmah and China to be marked by a Delimitation Commission.

Frontier Trade.

And the conditions of frontier trade to be settled by a Frontier Trade Convention, both countries agreeing to protect and encourage trade between China and Burmah.

ARTICLE IV.

British Mission to Tibet to be countermanded.

Inasmuch as inquiry into the circumstances by the Chinese Government has shown the existence of many obstacles to the Mission to Tibet provided for in the Separate Article of the Chefoo Agreement,† England consents to countermand the Mission forthwith.

Frontier Trade between India and Tibet.

With regard to the desire of the British Government to consider arrangements for frontier trade between India and Tibet, it will be the duty of the Chinese Government, after careful inquiry into the circumstances, to adopt measures to exhort and encourage the people with a view to the promotion and development of trade. Should it be practicable, the Chinese Government shall then proceed carefully to consider Trade Regulations; but if insuperable obstacles should be found to exist, the British Government will not press the matter unduly.

ARTICLE V.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same and affixed thereunto the seals of their arms.

* See Convention, 1st March, 1894 (No. 20); and Agreement, 4th February, 1897 (No. 22).

† See page 80.

[Opium Trade at Hong Kong.]

Done in triplicate at Peking this 24th day of July, in the year of our Lord 1886, corresponding with the Chinese date the 23rd day of the 6th moon of the 12th year of Kuang Hsü.

(L.S.) NICHOLAS RODERICK O'CONOR.

(L.S.) (Monogram) CH'ING.

(L.S.) (Monogram) SUN YÜ-WÊN.

(No. 16.) *AGREEMENT between Her Majesty's Consul at Tientsin, the Puisne Judge at Hong Kong, the Inspector-General of Customs, and the Joint Commissioners for China, respecting the Opium Trade at Hong Kong. Signed at Hong Kong, 11th September, 1886.*

MEMORANDUM of the Bases of Agreement arrived at after discussion between Mr. Byron Brenan, Her Majesty's Consul at Tientsin, Mr. James Russell, Puisne Judge of Hong Kong, and Sir Robert Hart, K.C.M.G., Inspector-General of Customs, and Shao-Tao-Tai, Joint Commissioners for China, in pursuance of Article VII, section 3, of the Agreement between Great Britain and China signed at Chefoo on the 13th September, 1876 (No. 12), and of section 9 of the Additional Article to the said Agreement signed at London on the 18th July, 1885 (No. 14).

Mr. Russell undertakes that the Government of Hong Kong shall submit to the Legislative Council an Ordinance for the regulation of the trade of the Colony in raw opium, subject to the conditions hereinafter set forth and providing—

1. For the prohibition of the import and export of opium in quantities less than one chest.*

2. For rendering illegal the possession of raw opium, its custody or control in quantities less than one chest, except by the opium farmer.

3. That all opium arriving in the Colony be reported to the Harbour-master, and that no opium shall be trans-shipped, landed, stored, or removed from one store to another, or re-exported, without a permit from the Harbour-master and notice to the opium farmer.

4. For the keeping by importers, exporters, and go-down owners, in such form as the Governor may require, books showing the movement of opium.

5. For taking stock of quantities in the stores, and search for deficiencies by the opium farmer, and for furnishing to the Harbour-master returns of stocks.

6. For amendment of Harbour Regulations as to night clearances of junks.

The conditions on which it is agreed to submit the Ordinance are—

* A modification allowing export in smaller quantities than one chest was subsequently agreed upon. (Mayers.)

[Opium Trade at Hong Kong.]

1. That China arranges with Macao for the adoption of equivalent measures.

2. That the Hong Kong Government shall be entitled to repeal the Ordinance if it be found to be injurious to the revenue or to the legitimate trade of the Colony.

3. That an office under the Foreign Inspectorate shall be established on Chinese territory at a convenient spot on the Kowloon side for sale of Chinese opium-duty certificates, which shall be freely sold by all comers, and for such quantities of opium as they may require.

4. That opium accompanied by such certificates, at the rate of not more than 110 taels per picul, shall be free from all further imposts of every sort, and have all the benefits stipulated for by the Additional Article on behalf of opium on which duty has been paid at one of the ports of China, and that it may be made up in sealed parcels at the option of the purchaser.

5.* The junks trading between Chinese ports and Hong Kong, and their cargoes, shall not be subject to any dues or duties in excess of those leviable on junks and their cargoes trading between Chinese ports and Macao, and that no dues whatsoever shall be demanded from junks coming to Hong Kong from ports in China, or proceeding from Hong Kong to ports in China, over and above the dues paid or payable at the ports of clearance or destination.

6. That the officer of the Foreign Inspectorate, who will be responsible for the management of the Kowloon office, shall investigate and settle any complaints made by junks trading with Hong Kong against the Native Customs Revenue stations or cruisers, and that the Governor of Hong Kong, if he deems it advisable, shall be entitled to send a Hong Kong officer to be present at and assist in the investigation and decision. If, however, they do not agree, a reference may be made to the authorities at Peking for a joint decision.

Sir Robert Hart undertakes, on behalf of himself and Shao Tao-Tai (who was compelled by unavoidable circumstances to leave before the sittings of the Commission were terminated), that the Chinese Government shall agree to the above conditions.

The Undersigned are of opinion that if these arrangements are fully carried out a fairly satisfactory solution of the questions connected with the so-called "Hong Kong blockade" will have been arrived at.

Signed in triplicate at Hong Kong this 11th day of September, 1886.

BYRON BRENNAN, *Hcr Britannic Majesty's*
Consul at Tientsin.

J. RUSSELL, *Puisne Judge of Hong Kong.*

ROBERT HART, *Inspector General of Customs,*
China.

* See Treaty of 5th September, 1902 (No. 28), Article III.

Mar. 17, 1890.)

GREAT BRITAIN AND CHINA.

[No. 17.]

[Sikkim and Tibet.]

(No. 17.) *CONVENTION between Great Britain and China relating to Sikkim and Tibet. Signed at Calcutta, 17th March, 1890.**

[Signed also in Chinese.]

[Ratifications exchanged at London, August 27, 1890.]

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires; and whereas recent occurrences have tended towards a disturbance of the said relations, and it is desirable to clearly define and permanently settle certain matters connected with the boundary between Sikkim and Tibet, Her Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject, and have, for this purpose, named Plenipotentiaries, that is to say:—

Her Majesty the Queen of Great Britain and Ireland, his Excellency the Most Honourable Henry Charles Keith Petty Fitzmaurice, G.M.S.I., G.C.M.G., G.M.I.E., Marquess of Lansdowne, Viceroy and Governor-General of India,

And His Majesty the Emperor of China, his Excellency Shêng Tai, Imperial Associate Resident in Tibet, Military Deputy Lieutenant-Governor;

Who, having met and communicated to each other their full powers, and finding these to be in proper form, have agreed upon the following Convention in eight Articles:—

ARTICLE I.

Boundary between Sikkim and Tibet.

The boundary between Sikkim and Tibet shall be the crest of the mountain range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Tibetan Mochu and northwards into other rivers of Tibet. The line commences at Mount Gipmochi on the Bhutan frontier, and follows the above-mentioned water-parting to the point where it meets Nipal territory.

ARTICLE II.

British Protectorate over Sikkim. Internal and Foreign Relations.

It is admitted that the British Government, whose Protectorate over the Sikkim State is hereby recognized, has direct and exclu-

* Parliamentary Paper, Treaty Series, No. 11 (1894). See Regulations respecting Trade, Official Communications, and Pasturage, 5th December, 1893 (No. 19); and Convention of 27th April, 1906 (No. 32).

sive control over the internal administration and foreign relations of that State, and except through and with the permission of the British Government, neither the Ruler of the State nor any of its officers shall have official relations of any kind, formal or informal, with any other country.

ARTICLE III.

Boundary to be Respected and Aggressive Acts on Frontier to be Prevented.

The Government of Great Britain and Ireland and the Government of China engage reciprocally to respect the boundary as defined in Article I, and to prevent acts of aggression from their respective sides of the frontier.

ARTICLE IV.

*Trade across Sikkim-Tibet Frontier.**

The question of providing increased facilities for trade across the Sikkim-Tibet frontier will hereafter be discussed with a view to a mutually satisfactory arrangement by the High Contracting Powers.

ARTICLE V.

Pasturage on Sikkim Side of Frontier.†

The question of pasturage on the Sikkim side of the frontier is reserved for further examination and future adjustment.

ARTICLE VI.

Official Communications. India and Tibet.‡

The High Contracting Powers reserve for discussion and arrangement the method in which official communications between the British authorities in India and the authorities in Tibet shall be conducted.

ARTICLE VII.

Commissioners to be appointed to consider Questions Reserved.

Two joint Commissioners shall, within six months from the ratification of this Convention, be appointed, one by the British Government in India, the other by the Chinese Resident in Tibet. The said Commissioners shall meet and discuss the questions which, by the last three preceding Articles, have been reserved. (See No. 19.)

* See Regulations, 5th December, 1893 (No. 19), Arts. I—VI.

† See Regulations, 5th December, 1893 (No. 19), Art. IX.

‡ See Regulations, 5th December, 1893 (No. 19), Arts. VII, VIII.

Mar. 31, 1890.]

GREAT BRITAIN AND CHINA

[No. 18.]

[Chungking opened to Trade.]

ARTICLE VIII.

Ratifications.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

In witness whereof the respective negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quadruplicate at Calcutta, this 17th day of March, in the year of our Lord 1890, corresponding with the Chinese date, the 27th day of the 2nd moon of the 16th year of Kuang Hsu.

(L.S.) LANSDOWNE

(L.S.) [Signature of the Chinese Plenipotentiary.]

(No. 18.) *ADDITIONAL ARTICLE to the Agreement between Great Britain and China of September 13, 1876, declaring Chungking to be opened to Trade. Signed at Peking, 31st March, 1890.*

[Signed also in Chinese.]

[Ratifications exchanged at Peking, January 18, 1891.]

THE Governments of Great Britain and China, being desirous of settling in an amicable spirit the divergence of opinion which has arisen with respect to the first clause of the third section of the Agreement concluded at Chefoo in 1876 (No. 12), which stipulates that "The British Government will be free to send officers to reside at Chungking to watch the conditions of British trade in Szechuen, that British merchants will not be allowed to reside at Chungking, or to open establishments or warehouses there, so long as no steamers have access to the port, and that when steamers have succeeded in ascending the river so far, further arrangements can be taken into consideration," have agreed upon the following Additional Article:—

Chungking opened to Trade as Treaty Port.

I. Chungking shall forthwith be declared open to trade on the same footing as any other Treaty Port.

Traffic between Ichang and Chungking.

British subjects shall be at liberty either to charter Chinese vessels or to provide vessels of the Chinese type for the traffic between Ichang and Chungking.

Merchandise conveyed between Ichang and Chungking.

II. Merchandise conveyed between Ichang and Chungking by the above class of vessels shall be placed on the same footing as merchandise carried by steamers between Shanghai and Ichang, and shall be dealt with in accordance with Treaty, Tariff Rules, and the Yang-tze Regulations.

Regulations for Vessels trading between Ichang and Chungking.

III. All Regulations as to the papers and flags to be carried by vessels of the above description, as to the cargo certificates with which they shall be provided, as to the re-package of goods for the voyage beyond Ichang, and as to the general procedure to be observed by those engaged in the traffic between Ichang and Chungking with a view to insuring convenience and security, shall be drawn up by the Superintendent of Customs at Ichang, the Taotai of the Ch'uan Tung Circuit, who is now stationed at Chungking, and the Commissioner of Customs in consultation with the British Consul, and shall be liable to any modifications that may hereafter prove to be desirable and may be agreed upon by common consent.

Payment of Port Dues by Chartered Junks.

IV. Chartered junks shall pay port dues at Ichang and Chungking in accordance with the Yang-tze Regulations; vessels of Chinese type, if and when entitled to carry the British flag, shall pay tonnage dues in accordance with Treaty Regulations. It is obligatory on both chartered junks and also vessels of Chinese type, even when the latter may be entitled to carry the British flag, to take out the Maritime Custom-house special papers and a special flag when intended to be employed by British subjects in the transport of goods between Ichang and Chungking, and without such papers and flag no vessel of either class shall be allowed the privileges and immunities granted under this Additional Article. Provided with special papers and flag, vessels of both classes shall be allowed to ply between the two ports, and they and their cargoes shall be dealt with in accordance with Treaty Rules and the Yang-tze Regulations. All other vessels shall be dealt with by the Native Customs. The special papers and flag issued by the Maritime Customs must alone be used by the particular vessel for which they were originally issued, and are not transferable from one vessel to another. The use of the British flag by vessels the property of Chinese is strictly prohibited. Infringement of these Regulations will, in the first instance, render the offender liable to the penalties in force at the ports hitherto opened under Treaty, and should the offence be subsequently repeated, the vessel's special papers and flag will be withdrawn, and the vessel herself refused permission thenceforward to trade between Ichang and Chungking.

Dec. 5, 1893.]

GREAT BRITAIN AND CHINA.

[No. 19]

[Sikkim-Tibet. Trade Regulations, &c. Yatung.]

Access of British Steamers to Chungking.

V. When once Chinese steamers carrying cargo run to Chungking, British steamers shall in like manner have access to the said port.

Additional Article to form part of Chefoo Agreement.

VI. It is agreed that the present Additional Article shall be considered as forming part of the Chefoo Agreement (No. 12), and as having the same force and validity as if it were inserted therein word for word.

Ratifications.

It shall be ratified, and the ratifications exchanged at Peking, and it shall come into operation six months after its signature, provided the ratifications have then been exchanged, or if they have not, then on the date at which such exchange takes place.*

Done at Peking in triplicate (three in English and three in Chinese), this 31st day of March, in the year of our Lord 1890, being the 11th day of the Second Intercalary Moon of the 16th year of Kuang Hsü.

(L.S.) JOHN WALSHAM.

(L.S.) [Signature of Chinese Plenipotentiary.]

(No. 19.) *REGULATIONS† regarding Trade, Official Communications, and Pasturage, to be appended to the Sikkim-Tibet Convention of 1890 (No. 17). Yatung opened to Trade. Signed at Darjeeling, 5th December, 1893.‡*

I. A trade mart shall be established at Yatung on the Tibetan side of the frontier, and shall be open to all British subjects for purposes of trade from the 1st day of May, 1894. The Government of India shall be free to send officers to reside at Yatung to watch the conditions of British trade at that mart.

II. British subjects trading at Yatung shall be at liberty to travel freely to and fro between the frontier and Yatung, to reside at Yatung, and to rent houses and godowns for their own accommodation, and the storage of their goods. The Chinese Government undertake that suitable buildings for the above purposes shall be provided for British subjects, and also that a special and fitting residence shall be provided for the officer or officers appointed by the Government of India under Regulation I to reside at Yatung. British subjects shall be at liberty to sell their goods to whomsoever they please, to purchase native commodities in kind or in money, to hire transport of any kind, and in general to conduct their business transactions in conformity with

* Ratifications exchanged 18th January, 1891.

† See Convention of 27th April, 1906 (No. 32).

‡ Parliamentary Paper, Treaty Series, No. 11 (1894).

local usage, and without any vexatious restrictions. Such British subjects shall receive efficient protection for their persons and property. At Lang-jo and Ta-chun, between the frontier and Yatung, where rest-houses have been built by the Tibetan authorities, British subjects can break their journey in consideration of a daily rent.

III. Import and export trade in the following articles: arms, ammunition, military stores, salt, liquors, and intoxicating or narcotic drugs, may, at the option of either Government, be entirely prohibited, or permitted only on such conditions as either Government, on their own side, may think fit to impose.

IV. Goods, other than goods of the description enumerated in Regulation III, entering Tibet from British India, across the Sikkim-Tibet frontier, or *vice versa*, whatever their origin, shall be exempt from duty for a period of five years, commencing from the date of the opening of Yatung to trade, but after the expiration of this term, if found desirable, a tariff may be mutually agreed upon and enforced.

Indian tea may be imported into Tibet at a rate of duty not exceeding that at which Chinese tea is imported into England, but trade in Indian tea shall not be engaged in during the five years for which other commodities are exempt.

V. All goods on arrival at Yatung, whether from British India or from Tibet, must be reported at the Customs Station there for examination, and the report must give full particulars of the description, quantity, and value of the goods.

VI. In the event of trade disputes arising between British and Chinese or Tibetan subjects in Tibet, they shall be inquired into and settled in personal conference by the Political Officer for Sikkim and the Chinese Frontier Officer. The object of personal conference being to ascertain facts and do justice, where there is a divergence of views, the law of the country to which the defendant belongs shall guide.

Official Communications.

VII. Despatches from the Government of India to the Chinese Imperial Resident in Tibet shall be handed over by the Political Officer for Sikkim to the Chinese Frontier Officer, who will forward them by special courier.

Despatches from the Chinese Imperial Resident in Tibet to the Government of India will be handed over by the Chinese Frontier Officer to the Political Officer for Sikkim, who will forward them as quickly as possible.

VIII. Despatches between the Chinese and Indian officials must be treated with due respect, and couriers will be assisted in passing to and fro by the officers of each Government.

Pasturage.

IX. After the expiration of one year from the date of the opening of Yatung, such Tibetans as continue to graze their cattle

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in Sikkim will be subject to such Regulations as the British Government may from time to time enact for the general conduct of grazing in Sikkim. Due notice will be given of such Regulations.

GENERAL ARTICLES.

Settlement of Differences.

I. In the event of disagreement between the Political Officer for Sikkim and the Chinese Frontier Officer, each official shall report the matter to his immediate superior, who, in turn, if a settlement is not arrived at between them, shall refer such matter to their respective Governments for disposal.

Duration and Revision of Regulations.

II. After the lapse of five years from the date on which these Regulations shall come into force, and on six months' notice given by either party, these Regulations shall be subject to revision by Commissioners appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments and extensions as experience shall prove to be desirable.

Settlement of Questions reserved in Treaty of 17th March, 1890.

III. It having been stipulated that Joint Commissioners should be appointed by the British and Chinese Governments under the VIIth Article of the Sikkim-Tibet Convention (No. 17) to meet and discuss, with a view to the final settlement of the questions reserved under Articles IV, V, and VI of the said Convention; and the Commissioners thus appointed, having met and discussed the questions referred to, namely, Trade, Communication, and Pasturage, have been further appointed to sign the Agreement in nine Regulations and three General Articles now arrived at, and to declare that the said nine Regulations and the three General Articles form part of the Convention itself.

In witness whereof the respective Commissioners have hereto subscribed their names.

Done in quadruplicate at Darjeeling, this 5th day of December, in the year 1893, corresponding with the Chinese date the 28th day of the 10th moon of the 19th year of Kuang Hsu.

(L.S.) A. W. PAUL,

British Commissioner.

(L.S.) HO CHANG-JUNG.

JAMES H. HART.

Chinese Commissioners.

(No. 20.) *CONVENTION between Great Britain and China relative to Burmah and China, Boundaries, &c. Signed at London, March 1, 1894.**

[Signed also in Chinese.]

[Ratifications exchanged at London, August 23, 1894.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, being sincerely desirous of consolidating the relations of friendship and good neighbourhood which happily exist between the two Empires, have resolved to conclude a Convention with the view of giving effect to Article III of the Convention relative to Burmah and Tibet, signed at Peking on the 24th July, 1886 (No. 15), and have appointed as their Plenipotentiaries for this purpose, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable the Earl of Rosebery, Knight of the Most Noble Order of the Garter, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs;

And His Majesty the Emperor of China, Sieh Ta-jên, Envoy Extraordinary and Minister Plenipotentiary of China at the Court of St. James', and Vice-President of the Imperial Board of Censors;

Who, having mutually communicated to each other their respective Full Powers, found to be in good and due form, have agreed upon the following Articles:—

ARTICLE I.†

Boundary. First Section.

It is agreed that the frontier between the two Empires, from latitude 25° 35' north, shall run as follows:—

Commencing at the high conical peak situated approximately in that latitude and in longitude 98° 14' east of Greenwich and 18° 16' west of Peking, the line will follow as far as possible the crest of the hills running in a south-westerly direction through Koalang Pum and the Warong Peak, and thence run nearly midway between the villages of Wanchon and Kaolang—leaving the former to Burmah and the latter to China—on to Sabu Pum.

From Sabu Pum the frontier will run in a line slightly to the south of west through Shatrung Pum to Namienku Pum; thence it will be continued, still running in a south-westerly direction,

* See Declaration between Great Britain and France of 15th January, 1896 (No. 101), Article IV.

† Modified by Convention of 4th February, 1897 (No. 22).

along the crest of the hills until it strikes the Tazar Kha. River, the course of which it will follow from its source to its confluence with the Nam Tabet or Tabak Kha, thus leaving Uka to the east and Laipong to the west.

From the confluence of the Tazar Kha River with the Tabak Kha, the frontier will ascend the latter river to its junction with the Lekra Kha, which it will follow to its source near Nkrang. From the source of the Lekra Kha, leaving Nkrang, Kukum, and Singra to the west, and Sima and Mali to the east, the line will follow the Lesa Kha from its western source to its junction with the Mali River, and thence will ascend the Mali to its source near Hpunra Shikong; thence it will run in a south-westerly direction along the Laisa Kha from its source down to the point where it falls into the Molé River near Kadon, leaving the village of Kadon to the west and that of Laisa to the east.

The line will then follow the course of the Molé in a south-easterly direction to the place where it receives the Che Yang Kha, which latter river it will follow to its source in the Alau Pum. It will then be directed along the Nampaung River from its western source down to where it enters the Taping River.

This concludes the description of the first section of the frontier.

ARTICLE II.*

Boundary. Second Section.

The second section of the frontier, or that portion of it which extends from the Taping River to the neighbourhood of Meung Mao, will run as follows:—

Starting from the junction of the Khalong Kha with the Taping River, the frontier will follow the Khalong Kha and its western branch to its source; it will be drawn thence southward to meet the Sipaho or Lower Nanthabet at a spot immediately to the south-west of Hanton, leaving Matin to Great Britain and Loilong-ga-Tong, Tiéh-pi-Kwan, and Hanton to China; thence it will ascend the branch of the last-named river which has its source nearest to that of the Mantein Kha. It will thence follow the crests of the line of hills running in a south-easterly direction to the more southerly of the two places named Kadaw, which is close to the Namwan River, leaving Kadaw to China and Palen to Great Britain. It will follow the Namwan River in a south-westerly direction down to the point in about latitude $23^{\circ} 55'$, where that river takes a south-easterly course. Thence it will run in a direction somewhat west of south to the Nammak River, leaving Namkhai to Great Britain. It will follow the Nammak River to the point where it bifurcates in about latitude $23^{\circ} 47'$, and will then ascend the southern branch till it reaches the crest of a high range of hills to the south of Mawsiu, in about latitude $23^{\circ} 45'$.

* Modified by Convention of 4th February, 1897 (No. 22).

It will follow the crest of this range (which runs slightly to the north of east) until it reaches the Shweli River at its junction with the Nammak, thus leaving to China the district of Mawsiu, the spot recently identified as Tien-ma-Kwan, and the villages of Hinglong and Kongmow, lying to the north of the above-mentioned range.

It will then follow the course of the Shweli River, and where the river bifurcates it will follow the more southerly of the two branches, leaving to China the island formed by them, until it reaches a point near the eastern end of the loop which the river forms opposite to Meung Mao, as indicated in the next Article of the Convention.

Open Road between Bhamo and Namkhan.

The Government of China consent that the most direct of the roads between Bhamo and Namkhan, where it passes through the small portion of Chinese territory south of the Namwan, shall, while remaining entirely open to Chinese subjects and to the tribesmen subject to China, be free and open to Great Britain for travellers, commerce, and administrative purposes, without any restrictions whatever. Her Britannic Majesty's Government shall have the right, after communication with the Chinese authorities, to execute any works which may be desirable for the improvement or repair of the road, and to take any measures which may be required for the protection of the traffic and the prevention of smuggling.

Passage of Troops along Road.

It is equally agreed that British troops shall be allowed to pass freely along this road. But no body of troops more than 200 in number shall be dispatched across it without the consent of the Chinese authorities, and previous notice in writing shall be given of every armed party of more than 20 men.

ARTICLE III.*

Boundary. Third Section.

The third section of the frontier will run as follows:—

It will commence from a point on the Shweli River, near to the east end of the loop formed by that river opposite to Meung Mao; thence, paying due regard to the natural features and the local conditions of the country, it will trend in a south-easterly direction towards Ma-li-pa until it reaches, at a point in about longitude $98^{\circ} 7'$ east of Greenwich ($18^{\circ} 23'$ west of Peking), and latitude $23^{\circ} 52'$, a conspicuous mountain range. It will follow the crests of that range through Loiaipong and Loipanglom until it reaches the Salween River, in about latitude $23^{\circ} 41'$.

This portion of the frontier from the Shweli to the Salween

* Modified by Convention of 4th February, 1897 (No. 22).

River shall be settled by the Boundary Commission provided for in Article VI of the present Convention, and in such a manner as to give to China at least as much territory as would be included if the frontier were drawn in a straight line from Meung Mao towards Ma-li-pa.

If it should be found that the most suitable frontier will give to China a larger amount of territory than is stated above, the compensation to be given to Great Britain on some other part of the frontier shall be matter for subsequent arrangement.

Kunlong given to Great Britain, and Kokang to China.

From latitude $23^{\circ} 41'$ the frontier will follow the Salween until it reaches the northern boundary of the circle of Kunlong. It will follow that boundary in an easterly direction, leaving the whole circle of Kunlong and the ferry of that name to Great Britain, and leaving to China the State of Kokang.*

Somu and Mêng Ting.

It will then follow the course of the river forming the boundary between Somu, which belongs to Great Britain, and Mêng Ting, which belongs to China. It will still continue to follow the frontier between those two districts, which is locally well known, to where it leaves the aforesaid river and ascends the hills; and will then follow the line of water-parting between the tributaries of the Salween and the Meikong Rivers, from about longitude 99° east of Greenwich ($17^{\circ} 30'$ west of Peking), and latitude $23^{\circ} 20'$, to a point about longitude $99^{\circ} 40'$ east of Greenwich ($16^{\circ} 50'$ west of Peking), and latitude 23° , leaving to China the Tsawbwaships of Kéng Ma, Mentung, and Mengko.

Chen-pien Ting left to China.

At the last-named point of longitude and latitude the line strikes a very lofty mountain range, called Kong-Ming-Shan, which it will follow in a southerly direction to about longitude $99^{\circ} 30'$ east of Greenwich (17° west of Peking), and latitude $22^{\circ} 30'$, leaving to China the district of Chen-pien Ting.

Munglem left to China and Manglün to Great Britain.

Then, descending the western slope of the hills to the Namka River, it will follow the course of that river for about $10'$ of latitude, leaving Munglem to China and Manglün to Great Britain.

It will then follow the boundary between Munglem and Kyaing Tong, which is locally well known, diverging from the Namka River a little to the north of latitude 22° , in a direction somewhat south of east, and generally following the crest of

* See footnote on page 104.

the hills till it strikes the Namlam River in about latitude $21^{\circ} 45'$ and longitude 100° east of Greenwich ($16^{\circ} 30'$ west of Peking).

Kiang Hung.

It will then follow the boundary between Kaing Tong and Kiang Hung, which is generally formed by the Namlam River, with the exception of a small strip of territory belonging to Kiang Hung, which lies to the west of that river just south of the last-named parallel of latitude. On reaching the boundary of Kyaing Chaing, in about latitude $21^{\circ} 27'$, and longitude $100^{\circ} 12'$ east of Greenwich ($16^{\circ} 18'$ west of Peking), it will follow the boundary between that district and Kiang Hung until it reaches the Meikong River.

ARTICLE IV.

Delimitation of Boundary to the North of Latitude $25^{\circ} 35' N.$ reserved.

It is agreed that the settlement and delimitation of that portion of the frontier which lies to the north of latitude $25^{\circ} 35'$ north shall be reserved for a future understanding between the High Contracting Parties when the features and conditions of the country are more accurately known.

ARTICLE V.*

Cession to China of States of Munglem and Kiang Hung.

In addition to the territorial concessions in Northern Theinni, and the cession to China of the State of Kokang, which result from the frontier as above described, Her Britannic Majesty, in consideration of the abandonment of the claims advanced by China to the territory lying outside and abutting on the frontier of the Prefecture of Yung Chang and Sub-Prefecture of Teng Yüeh, agrees to renounce in favour of His Majesty the Emperor of China, and of his heirs and successors for ever, all the suzerain rights in and over the States of Munglem and Kiang Hung† formerly possessed by the Kings of Ava concurrently with the Emperors of China.

* Modified by Convention of 4th February, 1897 (No. 22).

† KIANG HUNG.—On the 1st December, 1893, the French Government were officially informed by the British Government that no Treaty had then been signed between Great Britain and China, on the subject of the State of Kiang Hung, and that England had no intention of seeking to obtain any monopoly, either for railways, steam-boat companies, or any other mode of transit or communication, to the detriment of French commercial enterprises of the same kind; and that it was understood that, in that respect, the field would be left open to French and English enterprise. In return, the French Government stated that the delimitation of the French possessions on the side of Kiang Hung had not then been made, but that, in the negotiations on the subject which the French Government would have to carry on with the Chinese Government, they intended to be guided by the same principles as were laid down by the British Government in their communication of the 1st December, 1893. [Parliamentary Paper, Siam; No. 1, 1893.]

Non-cession of Munglem or Kiang Hung by China to any other Nation.

These and all other rights in the said States, with the titles, prerogatives, and privileges thereto pertaining, Her Majesty the Queen-Empress renounces as aforesaid, with the sole proviso that His Majesty the Emperor of China shall not, without previously coming to an agreement with Her Britannic Majesty, cede either Munglem or Kiang Hung,* or any portion thereof, to any other nation.

ARTICLE VI.†

Demarcation of Boundary Line. Joint Commission to be appointed, if necessary.

It is agreed that, in order to avoid any local contention, the alignments of the frontier described in the present Convention, and shown on the maps annexed thereto, shall be verified and demarcated, and, in case of its being found defective at any point, rectified by a Joint Commission appointed by the High Contracting Parties; and that the said Commission shall meet, at a place hereafter to be determined on by the two Governments, not later than 12 months after the exchange of the ratifications of the present Convention; and shall terminate its labours in not more than three years from the date of its first meeting.

Equivalent Compensations.

It is understood that any alterations in the alignment which the Joint Commission may find it necessary to make shall be based on the principle of equivalent compensations, having regard not only to the extent, but also to the value, of the territory involved. Further, that should the members of the Commission be unable to agree on any point, the matter of disagreement shall at once be referred to their respective Governments.

Situation of Hanlung Kwan to be identified, if possible.

The Commission shall also endeavour to ascertain the situation of the former frontier-post of China named Hanlung Kwan. If this place can be identified, and is found to be situated in British territory, the British Government will consider whether it can, without inconvenience, be ceded to China.

If it shall be found to the south-east of Meung Mao so as to be on the northern side of the straight line drawn from that place towards Ma-li-pa, it will in that case already belong to China.

* Under the Burmah Frontier Convention, as revised (No. 22), certain territorial compensations, including the State of Kokang, were made to Great Britain for the violation by the Chinese Government of that portion of the original Convention that related to Kiang Hung [Hansard's Debates, Vol. 47 (1897), page 296].

† Modified by Convention of 4th February, 1897 (No. 22):

ARTICLE VII.

Withdrawal of Military Posts, where necessary.

It is agreed that any posts belonging to either country which may be stationed within the territory of the other when the Commission of Delimitation shall have brought its labours to a conclusion shall, within eight months from the date of such conclusion, be withdrawn, and their places occupied by the troops of the other, mutual notice having in the meantime been given of the precise date at which the withdrawal and occupation will take place.

Maintenance of Good Order and Tranquillity of Tribes.

From the date of such occupation the High Contracting Parties shall each within his own territories hold itself responsible for the maintenance of good order, and for the tranquillity of the tribes inhabiting them.

Non-construction of Fortifications, &c., within Ten Miles of Frontier, except Posts necessary for Maintenance of Order.

The High Contracting Parties further engage neither to construct nor to maintain within 10 English miles from the nearest point of the common frontier, measured in a straight line and horizontal projection, any fortifications or permanent camps, beyond such posts as are necessary for preserving peace and good order in the frontier districts.

ARTICLE VIII.

Freedom of Trade between China and Burmah, except in Salt and Rice.

Subject to the conditions mentioned hereafter in Articles X and XI, the British Government, wishing to encourage and develop the land trade of China with Burmah as much as possible, consent, for a period of six years from the ratification of the present Convention, to allow Chinese produce and manufactures, with the exception of salt, to enter Burmah by land duty free, and to allow British manufactures and Burmese produce, with the exception of rice, to be exported to China by land free of duty.

Duties on Salt and Rice.

The duties on salt and rice so imported and exported shall not be higher than those imposed on their import or export by sea.

ARTICLE IX.*

Passage of Goods across Frontier by Manwyne and Sansi.

Pending the negotiation of a more complete arrangement, and until the development of the trade shall justify the establishment of other frontier Customs stations, goods imported from Burmah

* Modified by Convention of 4th February, 1897 (No. 22).

[Burmah. Boundaries, &c.]

into China or exported from China into Burmah shall be permitted to cross the frontier by Manwyne and by Sansi.

Chinese Import and Export Duties. Frontier Trade.

With a view to the development of Trade between China and Burmah, the Chinese Government consent that for six years from the ratification of the present Convention the duties levied on goods imported into China by these routes shall be those specified in the General Tariff of the Maritime Customs diminished by three-tenths, and that the duties on goods exported from China by the same route shall be those specified in the same tariff diminished by four-tenths.

Transit Passes.

Transit passes for imports and exports shall be granted in accordance with the rules in force at the Treaty Ports.

Smuggled goods liable to Confiscation.

Smuggling or the carrying of merchandise through Chinese territory by other routes than those sanctioned by the present Convention shall, if the Chinese authorities think fit, be punished by the confiscation of the merchandise concerned.

ARTICLE X.

Contraband Articles. Munitions of War.

The following articles, being munitions of war, shall neither be exported from Burmah into China, nor imported from China into Burmah, save at the requisition of the Government desiring their importation; neither shall they be sold to parties other than those who have been duly authorized by their respective Governments to purchase them:—

Cannon, shot and shell, cartridges, and ammunition of all kinds, fire-arms and weapons of war of every description. Saltpetre, sulphur, brimstone, gunpowder, dynamite, gun-cotton, or other explosives.

ARTICLE XI.

Salt.

The exportation from Burmah into China of salt is prohibited.

Cash, Rice, Pulse, and Grains.

The exportation from China into Burmah of cash, rice, pulse and grains of every kind is prohibited.

Opium and Spirituous Liquors.

The importation and exportation across the frontier of opium and spirituous liquors is prohibited, excepting in small quantities for the personal use of travellers. The amount to be permitted will be settled under Customs Regulations.

Prohibited Goods liable to Confiscation.

Infractions of the conditions set forth in this and the preceding Article will be punishable by confiscation of all the goods concerned.

ARTICLE XII.*

*Navigation of the Irrawaddy by Chinese Vessels, Dues, &c.
Encouragement of Mining Enterprise.*

The British Government, wishing to promote frontier trade between the two countries by encouraging mining enterprise in Yunnan and in the new territorial acquisitions of China referred to in the present Convention, consent to allow Chinese vessels carrying merchandise, ores, and minerals of all kinds, and coming from or destined for China, freely to navigate the Irrawaddy on the same conditions as to dues and other matters as British vessels.

ARTICLE XIII.*

Appointment of Chinese Consul at Rangoon, and of British Consul at Manwyne.

It is agreed that His Majesty the Emperor of China may appoint a Consul in Burmah, to reside at Rangoon; and that Her Britannic Majesty may appoint a Consul to reside at Manwyne;†

Consular Privileges, &c.

and that the Consuls of the two Governments shall each within the territories of the other enjoy the same privileges and immunities as the Consuls of the most-favoured nation.

Appointment of Additional Consuls.

Further, that, in proportion as the commerce between Burmah and China increases, additional Consuls may be appointed by mutual agreement, to reside at such places in Burmah and Yunnan as the requirements of the trade may seem to demand.

Correspondence.

The correspondence between the British and Chinese Consuls respectively, and the chief authority at the place where they reside, shall be conducted on terms of perfect equality.

ARTICLE XIV.*

Passports.

Passports, written in Chinese and English, and identical in terms to those issued to foreigners at the Treaty Ports in China, shall, on

* Modified by Convention of 4th February, 1897 (No. 22).

† Momein (Tengyueh) was substituted for Manwyne, under Article XIII of the Convention of 4th February, 1897 (No. 22).

the application of the proper British authorities, be issued to British merchants and others wishing to proceed to China from Burmah, by the Chinese Consul at Rangoon or by the Chinese authorities on the frontier; and Chinese subjects wishing to proceed to Burmah from China shall, on the application of any recognized Chinese official, be entitled to receive similar passports from Her Britannic Majesty's Consul at Manwyne or other convenient places in China where there may be a British Consular officer.

ARTICLE XV.

Extradition of Criminals.

Should criminals, subjects of either country, take refuge in the territory of the other, they shall, on due requisition being made, be searched for, and on reasonable presumption of their guilt being established, they shall be surrendered to the authorities demanding their extradition.

"Due requisition" shall be held to mean the demand of any functionary of either Government possessing a seal of office, and the demand may be addressed to the nearest frontier officer of the country in which the fugitive has taken refuge.

ARTICLE XVI.

Telegraphic Communications.

With a view to improving the intercourse between the two countries, and placing the Chinese Consul at Rangoon in communication with the High Provincial Authorities in Yünnan, the High Contracting Parties undertake to connect the telegraphic systems of the two countries with each other as soon as the necessary arrangements can be made; the line will, however, at first only be used for the transmission of official telegrams and of general messages for and from Burmah and the Province of Yünnan.

ARTICLE XVII.

Subjects of either Country to enjoy Most-favoured-nation Treatment.

It is agreed that subjects of the two Powers shall each within the territories of the other enjoy all the privileges, immunities, and advantages that may have been, or may hereafter be, accorded to the subjects of any other nation.

ARTICLE XVIII.

Mutual Commercial Concessions. Burmah-China Overland Trade.

It is agreed that the commercial stipulations contained in the present Convention being of a special nature and the result of mutual concessions, consented to with a view to adapting them to local conditions and the peculiar necessities of the Burmah-China

overland trade, the advantages accruing from them shall not be invoked by the subjects of either Power residing at other places where the two Empires are conterminous, excepting where the same conditions prevail, and then only in return for similar concessions.

ARTICLE XIX.*

Commercial Arrangements experimental only.

The arrangements with regard to trade and commerce contained in the present Convention being of a provisional and experimental character, it is agreed that should subsequent experience of their working, or a more intimate knowledge than is now possessed of the requirements of the trade, seem to require it, they may be revised at the demand of either party after a lapse of six years after the exchange of ratifications of the present Convention, or sooner should the two Governments desire it.

ARTICLE XX.

Ratifications.

The ratification of the present Convention under the hand of Her Britannic Majesty and of His Majesty the Emperor of China shall be exchanged in London in six months from this day of signature, or sooner, if possible.

The Convention shall come into force immediately after the exchange of ratifications.

In token whereof the respective Plenipotentiaries have signed this Convention in four copies, two in Chinese and two in English.

Done at London this 1st day of March, 1894, corresponding to the 24th day of the 1st moon of the 20th year of Kuang Hsu.

(L.S.) ROSEBERY.

(L.S.) SIEH.

Declaration. Convention applicable to Burmah and China only.

On proceeding to the signature, this day, of the Convention between Great Britain and China, giving effect to Article III of the Convention relative to Burmah and Tibet, signed at Peking on the 24th July, 1886 (No. 15).

The undersigned Plenipotentiaries declare that, inasmuch as the present Convention has been concluded for the special purpose mentioned in the preamble thereof, the stipulations contained therein are applicable only to those parts of the dominions of Her Britannic Majesty and of His Majesty the Emperor of China to which the said Convention expressly relates, and are not to be construed as applicable elsewhere.

Done at London the 1st day of March, 1894.

(L.S.) ROSEBERY.

(L.S.) SIEH.

* Modified by Convention of 4th February, 1897 (No. 22).

Sept. 6, 1894.]

GREAT BRITAIN AND CHINA.

[No. 21.]

[Chinese and Burmese Telegraph Lines.]

(No. 21.) *CONVENTION between Great Britain and China respecting the Junction of the Chinese and Burmese Telegraph Lines.* Signed at Tientsin, 6th September, 1894.*

[Signed also in Chinese.]

ARTICLE I.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and the Government of His Majesty the Emperor of China, with a view to facilitating international telegraph communication, have resolved to effect a junction between the telegraph lines of the two States on the frontier of Burmah and Yunnan.

ARTICLE II.

The junction shall be effected between the British station at Bhamo and the Chinese station at Tengyueh (Momein), at a point situated conveniently near to where the main route of communication between those places crosses the frontier. The exact point of junction is to be arranged as soon as possible.

An intermediate station will be established at Manwyne.

ARTICLE III.

The junction shall be effected as soon as possible, and at latest on the 31st May, 1895, unless prevented by accident or by *force majeure*, and in that case as soon as possible thereafter.

ARTICLE IV.

The Indian and the Chinese Telegraph Administrations shall establish, work, and maintain in good condition the line of connection, and shall exchange the correspondence by wire between the two stations named in Article II.

Each of the Contracting Parties shall bear the expense incurred for these purposes on its own territory, and will take care that the boundaries between the territories of the two Governments are scrupulously respected.

ARTICLE V.

The rules for the extra-European system laid down in the Service Regulations of the International Telegraph Convention shall be observed with regard to the technical treatment of telegrams transmitted over the line of connection described in Article II.

But in reckoning the number of words in telegrams between China or Hong Kong on the one side, and Burmah, India, or Ceylon on the other side, the rules of the European system laid

* Parliamentary Paper, Treaty Series, No. 9 (1895). Revised by the Convention of 23rd May, 1906 (No. 30).

down in the Service Regulations of the International Telegraph Convention shall be observed.

When the senders of telegrams do not expressly indicate the route by which they wish their telegrams to be forwarded, it is understood that at lower rates all correspondence, and at equal rates half the correspondence, shall be forwarded *via* the line of connection described in Article II, provided that the alternative routes are in equally good working order,

ARTICLE VI.

Each of the Contracting Parties fixes the charges for transmission of telegrams by its line up to the frontier of its own territory.

It is, however, agreed that before January, 1897, the charges declared in Article VII of this Convention cannot be raised, though each of the Contracting Parties reserves its right to reduce its own charges during that period, if it think fit.

ARTICLE VII.

In accordance with the stipulations of the preceding Article, the following charges per word are declared for correspondence exchanged *via* the line of connection described in Article II.

1. Charges levied by the Indian Telegraph Administration.

(A).—TERMINAL CHARGES.

	Fra.
1. From stations in Burmah to the Chinese frontier	0.575
2. " " India " "	0.825
3. " " Ceylon " "	0.940

(B).—TRANSIT CHARGES.

Between the Chinese frontier, *via* Bhamo, and—

1. The Siamese frontier, <i>via</i> Moulmein	0.350
2. All other frontiers	1.500

2. Charges levied by the Chinese Telegraph Administration.

(A).—TERMINAL CHARGES.

	Fra.
1. For correspondence exchanged by the Burmese-Yunnan line between Burmah, India, and Ceylon on the one side, and on the other side—	
(a.) Stations in Yunnan	0.760
(b.) All other stations situated on the Yang-tze or to the south of the Yang-tze	1.260
(c.) All stations situated to the north of the Yang-tze, except those in Corea	2.250
(d.) Chinese stations in Corea	2.500
2. For correspondence exchanged by the Burmese-Yunnan line between China or Hong Kong on the one side, and Europe, or countries beyond Europe, on the other side	5.500
3. For correspondence exchanged by the Burmese-Yunnan line between other countries and—	
(a.) Stations in Yunnan	1.000
(b.) All other stations situated on the Yang-tze or to the south of the Yang-tze	1.500
(c.) All stations situated to the north of the Yang-tze, except those in Corea	2.250
(d.) Chinese stations in Corea	2.500

[Chinese and Burmese Telegraph Lines.]

(B).—TRANSIT CHARGES.		Fr.
1. Between the Burmese frontier, via Tengyueh (Momein), and all other frontiers, on correspondence exchanged between Europe and countries beyond Europe on the one side, and all other countries on the other side	.....	5.500
2. On all other correspondence between the Burmese frontier, via Tengyueh (Momein), and—		
(a.) The Cable Companies at Hong Kong, Amoy, Foo-chow, and Shanghai	.....	1.250
(b.) All other frontiers	.....	2.500

The charges established for the correspondence between China on the one side, and Burmah, India, and Ceylon on the other side, are solely for correspondence actually exchanged between the named neighbouring countries, and the Chinese European correspondence cannot be re-telegraphed at these rates by private agencies or persons at intermediate stations.

ARTICLE VIII.

The checking of the amount of correspondences exchanged *via* the line of junction shall take place daily by wire between the stations named in Article II.

The settlement of accounts shall take place at the end of each month, and the resulting balance shall be paid within one month after the end of the month, in account to the Indian Telegraph Administration at Calcutta, or to the Chinese Telegraph Administration at Shanghai.

The month shall be reckoned according to the European calendar.

Telegrams referring to the settlement of accounts shall be considered as Service Telegrams, and transmitted free of charge.

ARTICLE IX.

The rate of exchange for the collection of the charges declared in Article VII, and for settlement of accounts, shall be:—

One franc reckoned as 0.60 of a rupee, and as 0.26 of a Mexican dollar.

As regards outpayments to Telegraph Administrations beyond China and India, the Chinese and Indian Telegraph Administrations will communicate to each other their amount, and this amount the two Administrations will be at liberty to collect and settle, at such rates as may protect them from loss.

ARTICLE X.

The present Convention shall come into force on the date of its signature, and shall remain in force* for ten years, and shall thereafter continue in force until six months after one of the Con-

* See Convention of 23rd May, 1905 (No. 30).

tracting Parties shall have given notice of its intention to modify or to abrogate it.

In witness whereof the undersigned, duly authorized to this effect, have signed the present Convention.

Done at Tientsin in four expeditions, of which two in the English language, and two in the Chinese language, the 6th day of September, 1894, corresponding with the 7th day of the 8th moon of the 20th year of the reign of Kwang-Hsü.

(L.S.) N. R. O'CONOR, *Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of Peking.*

(L.S.) EARL LI, *The Imperial Commissioner First Grand Secretary of State, Viceroy of the Province of Chi-li.*

(No. 22.) *AGREEMENT between Great Britain and China modifying the Convention of March 1, 1894, relative to Burmah and China.* Signed at Peking, 4th February, 1897.*

[Signed also in Chinese.]

[Ratifications exchanged at Peking, June 5, 1897.]

IN consideration of the Government of Great Britain consenting to waive its objections to the alienation by China, by the Convention with France of the 20th June, 1895 (No. 52), of territory forming a portion of Kiang Hung, in derogation of the provisions of the Convention between Great Britain and China of the 1st March, 1894 (No. 20),† it has been agreed between the Governments of Great Britain and China that the following additions and alterations shall be made in the last-named Convention, hereinafter referred to as the original Convention:—

ARTICLE I.

Boundary. First Section.

It is agreed that the frontier between the two Empires from latitude 25° 35' north shall run as follows:—

Commencing at the high peak situated approximately in that latitude and in longitude 98° 14' east of Greenwich and 18° 16' west of Peking, the line shall follow, as far as possible, the crest of

* Parliamentary Paper, Treaty Series, No. 7 (1897).

† See foot-note on page 104.

ARTICLE XIV.

Passports.

Instead of "Her Britannic Majesty's Consul at Manwyne" in the original Convention, read "Her Britannic Majesty's Consul at Shunning or Momein," in accordance with the change made in Article XIII.

ARTICLE XV.

[No addition to original Convention.]

ARTICLE XVI.

[No addition to original Convention.]

ARTICLE XVII.

[No addition to original Convention.]

ARTICLE XVIII.

[No addition to original Convention.]

ARTICLE XIX.

Commercial Arrangements, failing agreement, to remain in force.

Add as follows:—

Failing agreement as to the terms of revision, the present arrangements shall remain in force.

SPECIAL ARTICLE.

*Opening of Ports on the West River.**

Whereas on the 20th day of January, 1896, the Tsung-li Yamên addressed an official despatch to Her Majesty's Chargé d'Affaires at Peking, informing him that on the 30th day of December, 1895, they had submitted a Memorial respecting the opening of ports on the West River to foreign trade, and had received an Imperial Decree in approval, of which they officially communicated a copy.

It has now been agreed that the following places, viz., Wuchow-fu, in Kwangsi, and Samshui City and Kong Kun Market, in Kwangtung, shall be opened as Treaty Ports and

* NANNING.—The Agreement as to the opening of Nanning is embodied in the following communication from the Tsung-li Yamên to Sir C. MacDonald:—

"Peking, 4th February, 1897.

"The negotiations regarding the Agreement modifying the Burmah—China Frontier and Trade Convention of the 1st March, 1894, and the Special Article opening the West River to trade having now been concluded, it has been agreed that if hereafter trade develops, and it is mutually found that the interests of trade justify it, China will at once open Nanning-fu as a Treaty Port and Consular station."

near Namswan, *i.e.*, from the junction with the Namyang, the frontier shall ascend this latter stream to its source in the Mong-ko Hills, in about latitude $24^{\circ} 7'$ and longitude $98^{\circ} 15'$, thence continue along a wooded spur to the Salween at its junction with the Namoi stream. The line shall then ascend the Salween till it meets the north-west boundary of Kokang, and shall continue along the eastern frontier of Kokang* till it meets the Kunlong circle, leaving the whole circle of Kunlong to Great Britain.

The frontier shall then follow the course of the river forming the boundary between Somu, which belongs to Great Britain, and Mêng Ting, which belongs to China. It shall still continue to follow the frontier between those two districts, which is locally well known, to where it leaves the aforesaid river and ascends the hills, and shall then follow the line of water-parting between the tributaries of the Salween and the Meikong Rivers, from about longitude 99° east of Greenwich ($17^{\circ} 30'$ west of Peking), and latitude $23^{\circ} 20'$, to a point about longitude $99^{\circ} 40'$ east of Greenwich ($16^{\circ} 50'$ west of Peking), and latitude 23° , leaving to China the Tsawbwaships of Kêng Ma, Mengtung, and Mengko.

At the last-named point of longitude and latitude the line strikes a very lofty mountain range, called Kong-Ming-Shan, which it shall follow in a southerly direction to about longitude $99^{\circ} 30'$ east of Greenwich (17° west of Peking), and latitude $22^{\circ} 30'$, leaving to China the district of Chen-pien Ting. Then, descending the western slope of the hills to the Namka River, it will follow the course of that river for about 10 minutes of latitude, leaving Munglem to China and Manglün to Great Britain.

The frontier shall then follow the boundary between Munglem and Kiang Tong, which is locally well known, diverging from the Namka River a little to the north of latitude 22° , in a direction somewhat south of east, and generally following the crest of the hills till it strikes the Namlam River in about latitude $21^{\circ} 45'$ and longitude 100° east of Greenwich ($16^{\circ} 30'$ west of Peking).

It shall then follow the boundary between Kiang Tong and Kiang Hung, which is generally formed by the Namlam River, with the exception of a small strip of territory belonging to Kiang Hung, which lies to the west of that river, just south of the last-named parallel of latitude. On reaching the boundary of Western Kyaing Chaing, in about latitude $21^{\circ} 27'$ and longitude $100^{\circ} 12'$ east of Greenwich ($16^{\circ} 18'$ west of Peking), the frontier shall follow the boundary between that district and Kiang Hung until it reaches the Mekong River.

ARTICLE IV.

[No addition to original Convention.]

* This cedes the State of Kokang to Great Britain. See foot-note on page 104.

ARTICLE V.

Non-cession of Mung Lem or Kiang Hung to any other Nation without previous consent of Great Britain.

It is agreed that China will not cede to any other nation either Mung Lem or any part of Kiang Hung on the right bank of the Mekong, or any part of Kiang Hung now in her possession on the left bank of that river, without previously coming to an arrangement with Great Britain.

ARTICLE VI.

Demarcation of Boundary. Power of Joint Commission to modify the Line.

Article VI of the original Convention shall be held to be modified as follows:—

It is agreed that, in order to avoid any local contention, the alignments of the frontier described in the present Agreement shall be verified and demarcated, and, in the event of their being found defective at any point, rectified by a Joint Commission appointed by the Governments of Great Britain and China, and that the said Commission shall meet at a place hereafter to be determined by the two Governments not later than twelve months from the date of the signature of the present Agreement, and shall terminate its labours in not more than three years from the date of its first meeting.

If a strict adherence to the line described would intersect any districts, tribal territories, towns, or villages, the Boundary Commission shall be empowered to modify the line on the basis of mutual concessions. If the members of the Commission are unable to agree on any point, the matter of disagreement shall at once be referred to their respective Governments.

ARTICLE VII.

[No addition to original Convention.]

ARTICLE VIII.

[No addition to original Convention.]

ARTICLE IX.

Routes for Passage of Goods across Frontier, in addition to those of Manwyne and Sansi.

Add as follows:—

In addition to the Manwyne and Sansi routes sanctioned by the Convention of 1894, the Governments of Great Britain and China agree that any other routes, the opening of which the Boundary Commissioners may find to be in the interests of trade, shall be sanctioned on the same terms as those mentioned above.

ARTICLE X.

[No addition to original Convention.]

ARTICLE XI.

[No addition to original Convention.]

ARTICLE XII.

Connection of Yunnan and Burmese Railways.

Add as follows :—

The Chinese Government agrees hereafter to consider whether the conditions of trade justify the construction of railways in Yunnan, and, in the event of their construction, agrees to connect them with the Burmese lines.

ARTICLE XIII.

Appointment of British Consuls at Momein (Tengyueh) or Shunning, and at Ssumao.

Whereas by the original Convention it was agreed that China might appoint a Consul in Burmah, to reside at Rangoon; and that Great Britain might appoint a Consul to reside at Manwyne; and that the Consuls of the two Governments should each within the territories of the other enjoy the same privileges and immunities as the Consuls of the most favoured nation, and, further, that, in proportion as the commerce between Burmah and China increased, additional Consuls might be appointed by mutual consent to reside at such places in Burmah and Yunnan as the requirements of trade might seem to demand.

It has now been agreed that the Government of Great Britain may station a Consul at Momein* or Shunning-fu, as the Government of Great Britain may prefer, instead of at Manwyne, as stipulated in the original Convention, and also to station a Consul at Ssumao.

Rights of British Subjects and of British Protected Persons.

British subjects and persons under British protection may establish themselves, and trade at these places, under the same conditions as at the Treaty Ports in China.

Correspondence.

The Consuls appointed as above shall be on the same footing as regards correspondence and intercourse with Chinese officials as the British Consuls at the Treaty Ports.

* Momein (Tengyueh) was selected.

ARTICLE XIV.

Passports.

Instead of "Her Britannic Majesty's Consul at Manwyne" in the original Convention, read "Her Britannic Majesty's Consul at Shunning or Momein," in accordance with the change made in Article XIII.

ARTICLE XV.

[No addition to original Convention.]

ARTICLE XVI.

[No addition to original Convention.]

ARTICLE XVII.

[No addition to original Convention.]

ARTICLE XVIII.

[No addition to original Convention.]

ARTICLE XIX.

Commercial Arrangements, failing agreement, to remain in force.

Add as follows:—

Failing agreement as to the terms of revision, the present arrangements shall remain in force.

SPECIAL ARTICLE.

*Opening of Ports on the West River.**

Whereas on the 20th day of January, 1896, the Tsung-li Yamén addressed an official despatch to Her Majesty's Chargé d'Affaires at Peking, informing him that on the 30th day of December, 1895, they had submitted a Memorial respecting the opening of ports on the West River to foreign trade, and had received an Imperial Decree in approval, of which they officially communicated a copy.

It has now been agreed that the following places, viz., Wuchow-fu, in Kwangsi, and Samshui City and Kong Kun Market, in Kwangtung, shall be opened as Treaty Ports and

* NANNING.—The Agreement as to the opening of Nanning is embodied in the following communication from the Tsung-li Yamén to Sir C. MacDonald:—

"Peking, 4th February, 1897.

"The negotiations regarding the Agreement modifying the Burmah—China Frontier and Trade Convention of the 1st March, 1894, and the Special Article opening the West River to trade having now been concluded, it has been agreed that if hereafter trade develops, and it is mutually found that the interests of trade justify it, China will at once open Nanning-fu as a Treaty Port and Consular station."

[Non-alienation of Yang-tze Region.]

Consular stations, with freedom of navigation for steamers between Samshui and Wuchow and Hong Kong and Canton by a route from each of these latter places to be selected and notified in advance by the Imperial Maritime Customs, and that the following four places shall be established as ports of call for goods and passengers, under the same Regulations as the ports of call on the Yang-tze River, namely, Kongmoon,* Komchuk, Shiuhing,† and Takhing.

Ratifications.

It is agreed that the present Agreement, together with the Special Article, shall come into force within four months of the date of signature, and that the ratifications thereof shall be exchanged at Peking as soon as possible; in witness whereof the Undersigned, duly authorized thereto by their respective Governments, have signed the present Agreement.

Done at Peking in triplicate—three copies in English, and three in Chinese—the 4th day of February, in the year of our Lord 1897:

CLAUDE M. MACDONALD.

(Seal.)

[Chinese signature of his Excellency Li.]

(Seal.)

(No. 23.) *EXCHANGE OF NOTES between Great Britain and China respecting the Non-alienation of the Yang-tze Region.‡*
Peking, 17th February, 1898.

(1).—*Sir C. MacDonald to the Tsung-li Yamen.*

MM. les Ministres,

Peking, February 9, 1898.

Your Highnesses and your Excellencies have more than once intimated to me that the Chinese Government were aware of the great importance that has always been attached by Great Britain to the retention in Chinese possession of the Yang-tze region, now entirely hers, as providing security for the free course and development of trade.

I shall be glad to be in a position to communicate to Her Majesty's Government a definite assurance that China will never alienate any territory in the provinces adjoining the Yang-tze to any other Power, whether under lease, mortgage, or any other designation. Such an assurance is in full harmony with the observations made to me by your Highnesses and your Excellencies.

I avail, &c.,

CLAUDE M. MACDONALD.

* Opened to trade by Treaty of 5th September, 1802 (No. 28), Article-X.

† Chao-ching.

‡ Parliamentary Paper, China, No. 2 (1898).

(2).—*The Tsung-li Yamén to Sir C. MacDonald.**Kuang Hsi, 24th year, 1st moon, 21st day*

(Translation.)

(February 11, 1898).

The Yamén have the honour to acknowledge the receipt of the British Minister's despatch of the 9th February, stating that the Yamén had more than once intimated to him that the Chinese Government were aware of the great importance that has always been attached by Great Britain to the retention in Chinese possession of the Yang-tsze region, now entirely hers, as providing security for the free course and development of trade. The British Minister would be glad to be in a position to communicate to Her Majesty's Government a definite assurance that China would never alienate (any territory) in the provinces adjoining the Yang-tsze to any other Power, whether under lease, mortgage, or any other designation.

The Yamén have to observe that the Yang-tsze region is of the greatest importance as concerning the whole position (or interests) of China, and it is out of the question that territory (in it) should be mortgaged, leased, or ceded to another Power. Since Her Britannic Majesty's Government has expressed its interest (or anxiety), it is the duty of the Yamén to address this note to the British Minister for communication to his Government.

They avail themselves, &c.

(No. 24.) *CONVENTION between Great Britain and China respecting an Extension of Hong Kong Territory.* Signed at Peking, 9th June, 1898.*

[Signed also in Chinese.]

[Ratifications exchanged at London, August 6, 1898.]

WHEREAS it has for many years past been recognized that an extension of Hong Kong territory is necessary for the proper defence and protection of the Colony.

Enlargement of British Territory, under Lease. —

It has now been agreed between the Governments of Great Britain and China that the limits of British territory shall be enlarged under lease to the extent indicated generally on the annexed map. The exact boundaries shall be hereafter fixed when proper surveys have been made by officials appointed by the two Governments. The term of this lease shall be ninety-nine years.

* Parliamentary Paper, Treaty Series, No. 16 (1898). See Article VI of the Convention of 24th October, 1860 (No. 8).

Jurisdiction.

It is at the same time agreed that within the city of Kowloon the Chinese officials now stationed there shall continue to exercise jurisdiction except so far as may be inconsistent with the military requirements for the defence of Hong Kong. Within the remainder of the newly-leased territory Great Britain shall have sole jurisdiction. Chinese officials and people shall be allowed as heretofore to use the road from Kowloon to Hsinan.

Use of Landing Place, near Kowloon, by Chinese.

It is further agreed that the existing landing-place near Kowloon city shall be reserved for the convenience of Chinese men-of-war, merchant and passenger vessels, which may come and go and lie there at their pleasure; and for the convenience of movement of the officials and people within the city.

Railway.

When hereafter China constructs a railway to the boundary of the Kowloon territory under British control, arrangements shall be discussed.

No Expropriation or Expulsion of Natives.

It is further understood that there will be no expropriation or expulsion of the inhabitants of the district included within the extension, and that if land is required for public offices, fortifications, or the like official purposes, it shall be bought at a fair price.

Extradition.

If cases of extradition of criminals occur, they shall be dealt with in accordance with the existing Treaties between Great Britain and China and the Hong Kong Regulations.*

Use of Mirs Bay and Deep Bay by Chinese Ships of War.

The area leased to Great Britain, as shown on the annexed map, includes the waters of Mirs Bay and Deep Bay, but it is agreed that Chinese vessels of war, whether neutral or otherwise, shall retain the right to use those waters.

Ratifications.

This Convention shall come into force on the 1st day of July, 1898, being the 13th day of the 5th moon of the 24th year of Kuang Hsü. It shall be ratified by the Sovereigns of the two countries, and the ratifications shall be exchanged in London as soon as possible.

In witness whereof the Undersigned, duly authorized thereto

* See Treaty of 26th June, 1858 (No. 0), Article XXI, and Hong Kong Ordinances of 1889 and 1897 (Nos. 178 and 184).

July 1, 1898.]

GREAT BRITAIN AND CHINA.

[No. 25.]

[Weihaiwei.]

by their respective Governments, have signed the present Agreement.

Done at Peking in quadruplicate (four copies in English and four in Chinese) the 9th day of June, in the year of our Lord 1898, being the 21st day of the 4th moon of the 24th year of Kuang Hsi.

(L.S.) CLAUDE M. MACDONALD.

(L.S.) [Seal of Chinese Plenipotentiary.]

(No. 25.) *CONVENTION between Great Britain and China respecting Weihaiwei.* Signed at Peking, 1st July, 1898.*

[Signed also in Chinese.]

[Ratifications exchanged at London, October 5, 1898.]

In order to provide Great Britain with a suitable naval harbour in North China, and for the better protection of British commerce in the neighbouring seas, the Government of His Majesty the Emperor of China agree to lease to the Government of Her Majesty the Queen of Great Britain and Ireland Weihaiwei, in the Province of Shantung, and the adjacent waters, for so long a period as Port Arthur shall remain in the occupation of Russia.

Extent of Leased Territory. Jurisdiction.

The territory leased shall comprise the Island of Liu Kung, and all the Islands in the Bay of Weihaiwei, and a belt of land 10 English miles wide along the entire coast-line of the Bay of Weihaiwei. Within the above-mentioned territory leased Great Britain shall have sole jurisdiction.

Right to Erect Fortifications, &c.

Great Britain shall have in addition the right to erect fortifications, station troops, or take any other measures necessary for defensive purposes at any points on or near the coast of the region east of the meridian 121° 40' east of Greenwich, and to acquire on equitable compensation within that territory such sites as may be necessary for water supply, communications, and hospitals. Within that zone Chinese administration will not be interfered with, but no troops other than Chinese or British shall be allowed therein.

Jurisdiction within the Walled City.

It is also agreed that within the walled city of Weihaiwei Chinese officials shall continue to exercise jurisdiction, except so

* Parliamentary Paper, Treaty Series, No. 14 (1898). See Exchange of Notes between Great Britain and Germany of 20th April, 1898 (No. 102).

far as may be inconsistent with naval and military requirements for the defence of the territory leased.

Rights of Chinese Ships of War.

It is further agreed that Chinese vessels of war, whether neutral or otherwise, shall retain the right to use the waters herein leased to Great Britain.

No Expropriation or Expulsion of Natives.

It is further understood that there will be no expropriation or expulsion of the inhabitants of the territory herein specified, and that if land is required for fortifications, public offices, or any official or public purpose, it shall be bought at a fair price.

Ratifications.

This Convention shall come into force on signature. It shall be ratified by the Sovereigns of the two countries, and the ratifications shall be exchanged in London as soon as possible.

In witness whereof the Undersigned, duly authorized thereto by their respective Governments, have signed the present Agreement.

Done at Peking in quadruplicate (four copies in English and four in Chinese), the 1st day of July, in the year of our Lord 1898, being the 13th day of the 5th moon of the 24th year of Kuang Hsü.

(L.S.) CLAUDE M. MACDONALD.

(L.S.) [Seal of Chinese Plenipotentiary.]

(No. 26.) *FINAL PROTOCOL between the Foreign Powers and China for the Resumption of Friendly Relations.* Signed at Peking, 7th September, 1901.*

Final Protocol, dated September 7, 1901.

[Signed also in Chinese.]

LES Plénipotentiaires d'Allemagne, son Excellence M. A. Mumm von Schwarzenstein; d'Autriche-Hongrie, son Excellence le Baron M. Czikkann von Wahlborn; de Belgique, son Excellence M. Joostens; d'Espagne, son Excellence M. B. J. de Cologan; les États-Unis d'Amérique, son Excellence M. W. W. Rockhill; de France, son Excellence M. Paul Beau; de Grande-Bretagne, son Excellence Sir Ernest Satow; d'Italie, son Excellence le Marquis Salvago Raggi; du Japon, son Excellence M. Jutaro Komura; des Pays-Bas, son Excellence M. F. M. Knobel; de Russie, son Excellence M. M. de Giers; et de Chine, son Altesse Yi-k'ouang, Prince du premier rang K'ing, Président du Ministère des Affaires

* Parliamentary Paper, Treaty Series, No. 17 (1902).

Étrangères, et son Excellence Li Hong-tchang, Comte du premier rang Sou-yi, Tuteur de l'Héritier Présomptif, Grand Secrétaire du Wen-houa-tien, Ministre du Commerce, Surintendant des ports du Nord, Gouverneur-Général du Tche-li ; se sont réunis pour constater que la Chine s'est conformée, à la satisfaction des Puissances, aux conditions énumérées dans la note du 22 Décembre, 1900, (No. 195) et qui ont été acceptées, dans leur entier, par Sa Majesté l'Empereur de Chine, par un Décret en date du 27 Décembre, 1900 (Annexe No. 1).*

ARTICLE I.

Reparation for Assassination of Baron von Ketteler, German Minister.

(a.) Par un Édit Impérial du 9 Juin dernier (Annexe No. 2), Tsai-feng, Prince du premier rang Tch'oun, a été nommé Ambassadeur de Sa Majesté l'Empereur de Chine, et a été chargé, en cette qualité, de porter à Sa Majesté l'Empereur d'Allemagne l'expression des regrets de Sa Majesté l'Empereur de Chine et du Gouvernement Chinois au sujet de l'assassinat de feu son Excellence le Baron von Ketteler, Ministre d'Allemagne.

Le Prince Tch'oun a quitté Pékin le 12 Juillet dernier pour exécuter les ordres qui lui ont été donnés.

(b.) Le Gouvernement Chinois a déclaré qu'il érigeria sur le lieu de l'assassinat de feu son Excellence le Baron von Ketteler un monument commémoratif, digne du rang du défunt, et portant une inscription en langues Latine, Allemande, et Chinoise, qui exprimera les regrets de Sa Majesté l'Empereur de Chine à propos du meurtre commis.

Leurs Excellences les Plénipotentiaires Chinois ont fait savoir à son Excellence le Plénipotentiaire d'Allemagne, par une lettre en date du 22 Juillet dernier (Annexe No. 3), qu'un portique de toute la largeur de la rue est érigé sur le dit lieu, et que les travaux ont commencé le 25 Juin dernier.

ARTICLE II.

Punishment of Authors of Crimes committed against Foreign Governments and their Nationals.

(a.) Des Édits Impériaux en date des 13 et 21 Février, 1901 (Annexes Nos. 4, 5, et 6), ont infligé les peines suivantes aux principaux auteurs des attentats et des crimes commis contre les Gouvernements étrangers et leurs nationaux :

Tsai-yi, Prince Touan, et Tsai-lan, Duc Fu-kouo, ont été traduits, pour être exécutés, devant la Cour d'Assises d'Automne, et il a été stipulé que, si l'Empereur croit devoir leur faire grâce de leur vie, ils seront exilés au Turkestan, et y seront emprisonnés à perpétuité, sans que cette peine puisse jamais être commuée.

Tsai-hiun, Prince Tchouang, Ying-nien, Président de la Cour

* See also Protocol of 16th January, 1901 (No. 196).

des Censeurs, et Tchao Chou-k'iao, Président au Ministère de la Justice, ont été condamnés à se donner la mort.

Yu-hien, Gouverneur du Chansi; K'i-sieou, Président au Ministère des Rites; et Siu Tch'eng-yu, précédemment Directeur de Gauche au Ministère de la Justice, ont été condamnés à la peine de mort.

La dégradation posthume a été prononcée contre Kang-yi, Sous-Grand Secrétaire d'État, Président au Ministère de l'Intérieur; Siu Tong, Grand Secrétaire d'État; et Li Ping-heng, ancien Gouverneur-Général du Sze-tch'ouan.

Un Édit Impérial du 13 Février, 1901 (Annexe No. 7), a réhabilité la mémoire de Siu Yung-yi, Président au Ministère de la Guerre; Li-chan, Président au Ministère des Finances, Hiu King-tch'eng, Directeur de Gauche au Ministère de l'Intérieur; Lien-yuan, Vice-Chancelier au Grand Secrétariat; et Yuan-tch'ang, Directeur à la Cour des Sacrifices, qui avaient été mis à mort pour avoir protesté contre les abominables violations du droit international commises au cours de l'année dernière.

Le Prince Tchouang s'est donné la mort le 21 Février, 1901; Ying-nien et Tchao Chou-k'iao le 24; Yu-hien a été exécuté le 22; enfin, K'i-sieou et Siu Tch'eng-yu le 26.

Tong Fou-siang, Général au Kausou, a été privé de ses fonctions par Édit Impérial du 13 Février, en attendant qu'il soit statué sur la peine définitive à lui infliger.

Des Édits Impériaux du 29 Avril et 19 Août, 1901, ont infligé des peines graduelles aux fonctionnaires des provinces reconnus coupables des crimes et attentats commis au cours de l'été dernier.

Suspension of Official Examinations for Five Years.

(b) Un Édit Impérial promulgué le 19 Août, 1901 (Annexe No. 8), a ordonné la suspension des examens officiels pendant cinq ans dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels.

ARTICLE III.

Reparation for the Assassination of M. Sugiyama, Chancellor of the Japanese Legation.

Afin d'accorder une réparation honorable pour l'assassinat de feu M. Sougiyama, Chancelier de la Légation du Japon, Sa Majesté l'Empereur de Chine a, par un Édit Impérial du 18 Juin, 1901 (Annexe No. 9), désigné le Vice-Président au Ministère des Finances, Na-t'ong, comme Envoyé Extraordinaire, et l'a chargé spécialement de porter à Sa Majesté l'Empereur du Japon l'expression des regrets de Sa Majesté l'Empereur de Chine et de son Gouvernement au sujet de l'assassinat de feu M. Sougiyama.

ARTICLE IV.

Expiatory Monuments in Cemeteries which were Desecrated.

Le Gouvernement Chinois s'est engagé à ériger un monument expiatoire dans chacun des cimetières étrangers ou internationaux qui ont été profanés et dont les tombes ont été détruites.

D'accord avec les Représentants des Puissances, il a été convenu que les Légations intéressées donneront les indications pour l'érection de ces monuments, à charge par la Chine d'en couvrir tous les frais, évalués à 10,000 taels pour les cimetières de Pékin et des environs, à 5,000 taels pour les cimetières des provinces. Ces sommes ont été versées, et la liste de ces cimetières est ci-jointe (Annexe No. 10).

ARTICLE V.

Prohibition of Import of Arms and Ammunition.

La Chine a accepté de prohiber sur son territoire l'importation des armes et des munitions, ainsi que du matériel destiné exclusivement à la fabrication des armes et des munitions.

Un Édit Impérial a été rendu le 25 Août, 1901 (Annexe No. 11), pour interdire cette importation pendant une durée de deux années.

De nouveaux Édits pourront être rendus par la suite pour proroger ce terme de deux ans en deux ans, dans le cas de nécessité reconnue par les Puissances.

ARTICLE VI.

Indemnity.

Par un Édit Impérial en date du 29 Mai, 1901 (Annexe No. 12), Sa Majesté l'Empereur de Chine s'est engagé à payer aux Puissances une indemnité de 450,000,000 de Haikouan taels. Cette somme représente le total des indemnités pour les États, les Sociétés, les particuliers, et les Chinois visés à l'Article 6 de la note du 22 Décembre, 1900.

(a) Ces 450,000,000 constituent une dette en or, calculée au cours du Haikouan tael par rapport à la monnaie d'or de chaque pays, tels qu'ils sont indiqués ci-après.

Un Haikouan tael =	Marks	....	3 055
	Couronnes Austro-Hongroises	....	3 595
	Dollar or	....	0 742
	Francs	....	3 750
	Livres sterling	....	3s.
	Yen	....	1 407
	Florin Néerlandais	....	1 796
	Rouble or	....	1 412 (Au titre de dollars 17 424).

Interest and Repayment.

Cette somme en or sera productive d'intérêts à 4 pour cent l'an, et le capital sera remboursé par la Chine en trente-neuf années, dans les conditions indiquées au plan d'amortissement ci-joint (Annexe No. 13).

Le capital et les intérêts seront payables en or ou au taux de change correspondant aux dates des diverses échéances. Le fonctionnement de l'amortissement commencera le 1^{er} Janvier, 1902, pour finir à l'expiration de l'année 1940. Les amortissements seront payables annuellement, la première échéance étant fixée au 1^{er} Janvier, 1903. Les intérêts seront comptés à partir du 1^{er} Juillet, 1901, mais le Gouvernement Chinois aura la faculté de se libérer, dans un délai de trois ans, commençant le 1^{er} Janvier, 1902, des arrérages du premier semestre finissant le 31 Décembre, 1901, à la condition toutefois de payer des intérêts composés à 4 pour cent l'an sur les sommes dont le versement aura ainsi été différé.

Les intérêts seront payables semestriellement, la première échéance étant fixée au 1^{er} Juillet, 1902.

(b) Le service de la dette sera effectué à Shanghai, et de la manière suivante :—

Commission of Bankers.

Chaque Puissance se fera représenter par un délégué dans une Commission de banquiers, qui sera chargée d'encaisser le montant des intérêts et des amortissements qui lui sera versé par des autorités Chinoises désignées à cet effet, de la répartir entre les intéressés, et d'en donner quittance.

Chinese Government Bonds.

(c) Le Gouvernement Chinois remettra au doyen du Corps Diplomatique à Pékin un bon global, qui sera transformé ultérieurement en coupures revêtues de la signature des délégués du Gouvernement Chinois désignés à cet effet. Cette opération, et toutes celles se rapportant à l'établissement des titres, seront effectuées par la Commission précitée, conformément aux instructions que les Puissances enverront à leurs délégués.

(d) Le produit des ressources affectées au paiement des bons sera versé mensuellement entre les mains de la Commission.

Revenues Assigned as Security for Bonds.

(e) Les ressources affectées à la garantie des bons sont énumérées ci-après :—

1. Le reliquat des revenus de la Douane Maritime Impériale, après paiement de l'intérêt et de l'amortissement des emprunts antérieurs gagés sur ces revenus, augmentés du produit de l'élévation à 5 pour cent effectifs du tarif actuel sur les importations maritimes, y compris les articles qui jusqu'à présent entraient en franchise, à l'exception du riz, des céréales, et des farines de

provenance étrangère, ainsi que de l'or et de l'argent monnayés ou non monnayés.

2. Les revenus des Douanes indigènes administrées, dans les ports ouverts, pour la Douane Maritime Impériale.

3. L'ensemble des revenus de la gabelle, sous réserve de la fraction affectée précédemment à d'autres emprunts étrangers.

*Raising of Import Tariff to 5 Per Cent.**

L'élévation du tarif actuel sur les importations à 5 pour cent effectifs est consentie aux conditions ci-après.

La mise en vigueur de cette élévation commencera deux mois après la date de la signature du présent Protocole, et il ne sera fait d'exception que pour les marchandises en cours de route, au plus tard dix jours après cette date.

*Ad Valorem Duties to be Converted into Specific Duties.**

1. Tous les droits sur les importations perçus *ad valorem* seront convertis en droits spécifiques, autant qu'il sera possible de la faire, et dans le plus bref délai.

Cette conversion sera établie comme suit:

On prendra comme base d'évaluation la valeur moyenne des marchandises au moment de leur débarquement, pendant les trois années 1897, 1898, et 1899, c'est-à-dire, la valeur de marché déduction faite du montant des droits d'entrée et des frais accessoires.

En attendant le résultat de cette conversion, les droits seront perçus *ad valorem*.

Improvement of the Course of the Pei-ho and Whang-poo Rivers.†

2. Le cours du Pei-ho et celui du Whang-pou seront améliorés avec la participation financière de la Chine.

ARTICLE VII

Legation Quarter and Guards.

Le Gouvernement Chinois a accepté que le quartier occupé par les Légations fût considéré comme un quartier spécialement réservé à leur usage et placé sous leur police exclusive, où les Chinois n'auraient pas le droit de résider, et qui pourrait être mis en état de défense.

Les limites de ce quartier ont été ainsi fixées sur le plan ci-joint (Annexe No. 14) :—

A l'ouest, la ligne 1, 2, 3, 4, 5;

Au nord, la ligne 5, 6, 7, 8, 9, 10;

A l'est, la rue Ketteler : 10, 11, 12;

Au sud, la ligne 12, 1, tirée le long du pied extérieur de la muraille Tartare en suivant les bastions.

* See Tariff Agreement of 29th August, 1902 (No. 27).

† See Article XI.

Par le Protocole (No. 196) annexé à la lettre du 16 Janvier, 1901, la Chine a reconnu à chaque Puissance le droit d'entretenir une garde permanente dans le dit quartier pour la défense de sa Légation.

ARTICLE VIII.

Razing of Taku Forts.

Le Gouvernement Chinois a consenti à faire raser les forts de Ta-kou et ceux qui pourraient empêcher les libres communications entre Pékin et la mer.

Des dispositions ont été prises à cet effet.

ARTICLE IX.

Occupation of Certain Points by the Powers.

Le Gouvernement Chinois a reconnu aux Puissances, par le Protocole (No. 196) annexé à la lettre du 16 Janvier, 1901, le droit d'occuper certains points, à déterminer, par un accord entre elles, pour maintenir les communications libres entre la capitale et la mer.*

Les points occupés par les Puissances sont: Houang-ts'oun, Lang-fang, Yang-ts'oun, Tien-tsin, Kiun-léang-tch'ong, Tang-kou, Lou-t'ai, Tang-chan, Louan-tcheou, Tch'ang-li, Ts'in-Wang-tao, Chan-hai-kouan.

ARTICLE X.

Posting and Publishing of Certain Imperial Edicts.

Le Gouvernement Chinois s'est engagé à afficher et à publier, pendant deux ans, dans toutes les villes de district, les Édits Impériaux suivants:—

(a.) Édît du 1^{er} Février, 1901 (Annexe No. 15), portant défense perpétuelle, sous peine de mort, de faire partie d'une société anti-étrangère;

(b.) Édits des 13 et 21 Février, 29 Avril, et 19 Août, contenant l'énumération des peines qui ont été infligées aux coupables;

(c.) Édît du 19 Août, 1901, supprimant les examens dans toutes les villes où des étrangers ont été massacrés ou ont subi des traitements cruels;

(d.) Édît du 1^{er} Février, 1901 (Annexe No. 16), déclarant que tous les Gouverneurs-Généraux, Gouverneurs, et fonctionnaires provinciaux ou locaux sont responsables de l'ordre dans leurs circonscriptions, et qu'en cas de nouveaux troubles anti-étrangers, ou encore d'autres infractions aux Traités qui n'auraient pas été immédiatement réprimées, et dont les coupables n'auraient pas été punis, ces fonctionnaires seront immédiatement révoqués, sans pouvoir être appelés à de nouvelles fonctions ni recevoir de nouveaux honneurs.

* See Condition No. 9, in Joint Note of 22nd December, 1900 (No. 195).

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L'affichage de ces Édits se poursuit progressivement dans tout l'Empire.

ARTICLE XI.

Amendment of Commercial Treaties, &c.

Le Gouvernement Chinois s'est engagé à négocier les amendements jugés utiles par les Gouvernements étrangers aux Traités de Commerce et de Navigation, et les autres sujets touchant aux relations commerciales dans le but de les faciliter.

Improvement of the Courses of the Pei-ho and Whang-poo Rivers.

Dès maintenant, et par suite des stipulations inscrites à l'Article 6, au sujet de l'indemnité, le Gouvernement Chinois s'engage à concourir à l'amélioration du cours des rivières Pei-ho et Whang-pou, comme il est dit ci-dessous :—

(a.) Les travaux d'amélioration de la navigabilité de Pei-ho, commencés en 1898 avec la coopération du Gouvernement Chinois, ont été repris sous la direction d'une Commission Internationale.

Aussitôt après que l'administration de Tien-tsin aura été remise aux Gouvernements Chinois, celui-ci pourra se faire représenter dans cette Commission, et versera chaque année une somme de 60,000 Haikouan tael pour l'entretien des travaux.

*Whang-poo Conservancy Board.**

(b.) Il est créé un Conseil fluvial, chargé de la direction et du contrôle des travaux de rectification du Whang-pou et d'amélioration du cours de cette rivière.

Ce Conseil est composé de membres représentant les intérêts du Gouvernement Chinois et ceux des étrangers dans le commerce maritime de Shanghai.

Les frais nécessités par les travaux et l'administration générale de l'entreprise sont évalués à la somme annuelle de 460,000 Haikouan tael pendant les vingt premières années.

Cette somme sera fournie par moitié par le Gouvernement Chinois et par les intéressés étrangers.

Le détail des stipulations se rapportant à la composition, aux attributions, et aux revenus du Conseil fluvial, fait l'objet de l'Annexe (Annexe No. 17).

ARTICLE XII.

Ministry of Foreign Affairs (Wai-Wu Pu).

Un Édît Impérial du 24 Juillet, 1901 (Annexe No. 18), a réformé l'Office des Affaires Étrangères (Tsong-li Yamén) dans le sens indiqué par les Puissances, c'est-à-dire, l'a transformé en un

* See Order in Council of 6th March, 1902 (No. 148), and Agreement of 27th September, 1905 (No. 31).

Ministère des Affaires Étrangères (Wai Wou Pou), qui prend rang avant les six autres Ministères d'État.

Le même Édit a nommé les principaux membres de ce Ministère.

Court Ceremonial at Audiences.

Un accord s'est établi également au sujet de la modification du cérémonial de Cour relatif à la réception des Représentants étrangers, et a fait l'objet de plusieurs notes des Plénipotentiaires Chinois résumées dans un Mémoire ci-joint (Annexe No. 19).

French Text to be Authoritative.

Enfin, il est expressément entendu que, pour les déclarations sus-énoncées et les documents annexés émanant des Plénipotentiaires étrangers, le texte Français fait seul foi.

Evacuation of Peking and Chihli by International Troops.

Le Gouvernement Chinois s'étant ainsi conformé, à la satisfaction des Puissances, aux conditions énumérées dans la note précitée du 22 Décembre, 1900 (No. 195), les Puissances ont accédé au désir de la Chine de voir cesser la situation créée par les désordres de l'été 1900.

En conséquence, les Plénipotentiaires étrangers sont autorisés à déclarer, au nom de leurs Gouvernements, que, à l'exception des gardes des Légations mentionnées à l'Article 7, les troupes internationales évacueront complètement la ville de Pékin le 17 Septembre, 1901, et, à l'exception des endroits mentionnés à l'Article 9, se retireront de la Province du Tche-li le 22 Septembre, 1901.

Le présent Protocole final a été établi en douze exemplaires identiques, et signés par tous les Plénipotentiaires des pays contractants. Un exemplaire sera remis à chacun des Plénipotentiaires étrangers, et un exemplaire sera remis aux Plénipotentiaires Chinois.

Pékin, le 7 Septembre, 1901.

A. VON MUMM.
M. CZIKANN.
JOOSTENS.
B. J. DE COLOGAN.
W. W. ROCKHILL
BEAU.
ERNEST SATOW.
SALVAGO RAGGI.
JUTARO KOMURA.
F. M. KNOBEL.
M. DE GIERS.
YI-K'OUANG.
LI HONG-TOHANG.

Sept. 7, 1901.]

GREAT BRITAIN, &c., AND CHINA.

[No. 26.

Peking.

[Resumption of Friendly Relations.]

ANNEXES AU PROTOCOLE FINAL

(Textes Français.)

Nos.

1. Édit Impérial du 27 Décembre, 1900. (Traduction.)
2. Édit Impérial du 9 Juin, 1901. (Traduction.)
3. Lettre des Plénipotentiaires Chinois du 23 Juillet, 1901. (Traduction.)
4. Édit Impérial du 13 Février, 1901. (Traduction.)
5. Édit Impérial du 13 Février, 1901. (Traduction.)
6. Édit Impérial du 21 Février, 1901. (Traduction.)
7. Édit Impérial du 13 Février, 1901. (Traduction.)
8. Édit Impérial du 19 Août, 1901. (Traduction.)
9. Édit Impérial du 18 Juin, 1901. (Traduction.)
10. Liste des Cimetières profanés.
11. Édit Impérial du 25 Août, 1901. (Traduction.)
12. Édit Impérial du 29 Mai, 1901. (Traduction.)
13. Tableau d'Amortissement.
14. Plan du Quartier Diplomatique et Notice.
15. Édit Impérial du 1^{er} Février, 1901. (Traduction.)
16. Édit Impérial du 1^{er} Février, 1901.* (Traduction.)
17. Règlement pour l'amélioration du Whangpou.
18. Édit Impérial du 24 Juillet, 1901. (Traduction.)
19. Mémoire relatif au Cérémonial de Cour.

Annexe No. 1.

Édit Impérial du 27 Décembre, 1900.

(Traduction.)

Le 6^e jour de la 11^e lune de la 28^e année de Kouang-Siu (27 Décembre, 1900), l'édit suivant a été rendu :—

"Nous avons pris connaissance de tout le télégramme de Yi-K'ouang et de Li Hong-tchang. Il convient que nous acceptions dans leur entier les douze articles qu'ils nous ont soumis.

"Respect à ceci!"

[Sceau de l'Empereur.]

Annexe No. 2.

Édit Impérial du 9 Juin, 1901.

(Traduction.)

Nous conférons à Tsai-feng, Prince du premier rang Tch'oun, le titre d'Ambassadeur extraordinaire et le chargeons de se rendre en Allemagne pour s'acquitter respectueusement de la Mission que nous lui confions.

Tchang Yi, Lecteur à la Grande Chancellerie, et Yin-tch'ang, Lieutenant-Gouverneur Militaire, l'accompagneront en qualité de Secrétaires.

Respect à ceci!

Annexe No. 3.

Dépêche du Prince K'ing et de Li Hong-tchang, du 23 Juillet, 1901, à son Excellence M. de Mumm, Plénipotentiaire d'Allemagne.

(Traduction.)

(Réponse officielle.)

Le 3^e jour de la 5^e lune de la présente année (le 18 Juin, 1901), nous avons reçu de votre Excellence la communication officielle ci-après :—

• Décret Impérial du 24 Décembre, 1900.

† See Part V, Nos. 195 and 196.

"Messieurs Jousi-léang, Secrétaire, et Lien-fang, Taotai en expectative, délégués chargés de l'exécution de l'Article 1 de la Note Collective* stipulant l'érection d'un monument commémoratif sur le lieu de l'assassinat du Baron von Ketteler, ci-devant Ministre d'Allemagne, sont entrés il y a quelque temps en pourparlers avec ma Légation, et ont abordé la question du mode d'exécution de ce monument.

"Au cours de nombreux entretiens, ils ont déclaré que si l'on tenait à ce qu'un portique commémoratif en marbre de Ta-li et s'étendant sur toute la largeur de l'avenue de Toh'ong-wen-men, fut érigé sur le lieu de l'assassinat, le travail serait très long, en raison des difficultés de transport des matériaux; mais que, pour ce qui était de trouver quelque autre moyen consistant, soit à transférer sur le lieu de l'assassinat un portique placé actuellement ailleurs, soit à dresser un portique neuf, soit à faire usage d'un portique ancien que l'on transporterait, ils s'en remettaient à la décision de mon Gouvernement.

"J'ai aussitôt demandé par le télégraphe à mon Gouvernement de me faire connaître ses vues.

"La réponse qui vient de me parvenir me fait savoir que Sa Majesté l'Empereur d'Allemagne a décidé lui-même qu'il devait être érigé un portique neuf tenant toute la largeur de la rue.

"Je dois en conséquence vous prier instamment de prendre de promptes mesures pour que les travaux puissent commencer immédiatement."

Nous, Prince et Ministre, avons aussitôt prescrit aux dits Secrétaire et Taotai d'agir de conformité. Suivant le rapport qu'ils nous ont adressé, "les travaux ont été commencés le 10^e jour de la 5^e lune (25 Juin) par les fondations. Mais un certain temps est nécessaire pour l'extraction des pierres, leur taille et le transport des matériaux; et on ne peut que veiller à ce que les ouvriers fassent tous leurs efforts pour mener activement le travail."

Outre que nous avons prescrit de nous tenir au courant de l'achèvement des travaux, nous croyons devoir adresser la présente réponse officielle à votre Excellence, en la priant d'en prendre note.

Annexe No. 4.

Édit Impérial du 13 Février, 1901.

(Traduction.)

Depuis la 5^e lune (fin Mai), les Boxeurs ont soulevé des troubles dans la capitale et ont ouvert les hostilités contre des pays amis. Yi-K'ouang et Li Hong-tchang négocient la paix à Pékin avec les Représentants des Puissances, et tout un arrangement préliminaire a déjà été signé.

(Si) Nous nous reportons au début de ces événements (nous trouvons qu'ils sont dus) à plusieurs Princes et Ministres stupides, fous, complètement ignorants, turbulents, qui ont foulé aux pieds les lois. Ils ont eu la plus grande confiance dans les moyens pervers et ont entraîné la Cour. Non seulement ils ont refusé d'obéir à nos ordres pour anéantir les Boxeurs, mais ils ont été jusqu'à les croire et, sottement, ils se sont mis à attaquer (les Légations). Aussi ce mauvais feu prit une grande extension, et les circonstances ne permirent pas de l'arrêter, plusieurs dizaines de millions de malfaiteurs s'étant rassemblés au bas du coude et de l'aisselle (c'est-à-dire, un point très important). De plus, les meneurs forcèrent des Généraux et des soldats ignorants à attaquer les Légations, et c'est ainsi que des maux incroyables ont sévi durant plusieurs mois.

Les dieux tutélaires de l'Empire ont été en danger, les tombes Impériales et les temples des Ancêtres ont tremblé, le pays a été dévasté, les habitants sont plongés dans la misère. Aucune parole ne saurait exprimer les dangers que nous et Sa Majesté l'Impératrice Douairière avons courus. Notre cœur et notre tête en souffrent encore maintenant; nos pleurs et nos ressentiments se confondent. C'est vous, Princes et Ministres, qui, en ajoutant foi aux paroles perverses et en laissant agir les malfaiteurs, avez mis en danger, au Ciel, nos Ancêtres et nos dieux, et qui, ici-bas, avez fait endurer au peuple ces calamités. Demandez-vous quel est le châtiment que vous méritez?

Nous avons déjà rendu deux Décrets. Mais, comprenant que des peines si légères pour des fautes si grandes ne pouvaient suffire à vous faire expier vos crimes, nous devons vous infliger de nouveaux châtiments plus sévères, selon votre degré de culpabilité.

* See Part V (No. 195).

Peking.

[Resumption of Friendly Relations.]

Tsai-Hiun, Prince Tchouang, déjà dégradé, a laissé les Boxeurs attaquer les Légations. Il a, de sa propre autorité, publié des Proclamations contraires aux Traités; il a ajouté foi légèrement aux dires des malfaiteurs; il a fait décapiter illégalement un grand nombre de personnes; il s'est montré, en vérité, grossier et inintelligent. Nous l'invitons, par faveur, à se suicider. Nous chargeons Ko pao-houa, Président par intérim de la Cour des Censeurs, d'aller constater (le suicide).

Tsai-Yi, Prince Touan, déjà dégradé, a entraîné avec lui plusieurs Princes et Peilo (Princes du troisième rang). Il a écouté légèrement les Boxeurs et, sottement, il a conseillé de se battre. C'est ainsi que tous ces troubles ont éclaté; ses fautes, en vérité, ne peuvent être écartées. Tsai-Lan, Duc Fou-Kouo, rétrogradé, a, de concert avec Tsai-Hiun, sottement publié des Proclamations contraires aux Traités. Il doit également être puni pour ses fautes. Nous les privons de leurs titres de noblesse, mais, considérant qu'ils font partie de notre famille, nous ordonnons, par une faveur spéciale que nous leur accordons, qu'ils soient envoyés dans le Sin-Kiang (Ili), où ils seront condamnés à perpétuité à la prison. On enverra d'abord des délégués pour les surveiller.

Yu-hien, Gouverneur dégradé, a cru sottement, lorsqu'il exerçait précédemment les fonctions de Gouverneur au Chantong, aux philtres des Boxeurs. Arrivé à Pékin, il en a vanté les louanges, si bien que plusieurs Princes et Ministres ont subi sa mauvaise influence. Étant Gouverneur du Chanai, il a massacré un grand nombre de missionnaires et de Chrétiens. C'est plus qu'un imbécile, qu'un fou, qu'un assassin, c'est le plus grand coupable et l'auteur de toutes ces calamités. Il a déjà été envoyé au Sin-Kiang, et, pensant qu'il est arrivé au Kan-sou, nous ordonnons que, sur l'ordre que nous envoyons, il soit immédiatement décapité. Nous chargeons le juge provincial Ho Fou-kousun de constater l'application de la peine.

Kang-Yi, Sous-Grand Secrétaire d'État, Président au Ministère de l'Intérieur, ayant prêté son appui aux Boxeurs, des troubles graves éclatèrent. Il contribua à publier des Proclamations contraires aux Traités. Un châtimement sévère devait à l'origine lui être infligé, mais il est mort de maladie. Nous ordonnons que les grades qu'il possédait primitivement lui soient retirés et qu'il soit aussitôt dégradé.

Tong Fou-siang, Général au Kan-sou, dégradé et laissé en fonctions, est entré (dans Pékin) pour défendre (la ville) avec les troupes placées sous ses ordres; il n'a pas su exercer une discipline sévère. Ignorant de plus les questions internationales, il suivait ses idées et agissait d'une façon inconsidérée. Bien que les attaques contre les Légations lui fussent ordonnées par les susdits Princes dégradés, il est difficile cependant de l'absoudre de toutes fautes. Nous devons d'abord le punir sévèrement, mais, songeant aux services signalés qu'il a rendus au Kan-sou et aux sympathies qu'il a acquises parmi les Musulmans et les Chinois, par un acte de clémence extraordinaire, nous ordonnons qu'il soit immédiatement dégradé.

Ying-Nien, Président de la Cour des Censeurs, rétrogradé et déplacé, s'est opposé à ce que Tsai-Hiun publie, de sa propre autorité, des Proclamations contraires aux Traités. Nous pouvons tenir compte de cette circonstance, mais comme il n'a pas su vaincre (cette résistance) par la force, il est en somme difficile de l'absoudre de ses fautes. Nous ordonnons, par une marque de grande bienveillance, qu'il soit dégradé. Nous le condamnons à mort, et il attendra en prison qu'il soit statué sur son cas.

Tchao Chou-kiao, Président au Ministère de la Justice, dégradé et laissé en fonctions, n'avait jamais montré jusqu'alors aucun sentiment d'animosité dans les relations avec les Puissances étrangères. Ayant fait une enquête sur les Boxeurs, il ne tint aucun propos en leur faveur, mais par sa négligence des fautes furent commises. Nous ordonnons, par une marque de grande bienveillance, qu'il soit dégradé. Nous le condamnons à mort, et il attendra en prison qu'il soit statué sur son cas.

Nous ordonnons qu'Ying-Nien et Tchao Chou-kiao soient d'abord enfermés dans la prison de la capitale du Chen Si.

Siu tong, Grand Secrétaire d'État, et Li Ping-heng, ancien Gouverneur-Général du Sze-tchouen, rétrogradés et déplacés, sont morts pour la patrie, mais tout le monde reconnaît leurs fautes. Nous ordonnons de les dégrader et nous leur retirons les honneurs posthumes que nous leur avions conférés.

Après la promulgation de ce Décret, tous nos pays amis devront considérer que les événements causés par les Boxeurs ne sont dus en vérité qu'aux principaux fauteurs de désordre et nullement aux désirs de la Cour.

Nous, Empereur, ne punissant pas à la légère plusieurs des principaux auteurs de désordre, les mandarins et les populations de l'Empire comprendront aussitôt que les conséquences de telles affaires sont des plus graves.

Respect à ceci !

Annexe No. 5.

Édit Impérial du 13 Février, 1901.

(Traduction.)

K'i-Sieou, Président au Ministère des Rites, et Siu Teh'eng-yu, précédemment Directeur de Gauche au Ministère de la Justice, seront d'abord dégradés.

Nous ordonnons à Yi-K'ouang et à Li Hong-tchang de rechercher les preuves exactes de leur culpabilité et de nous adresser aussitôt un rapport. Ils seront punis avec la plus grande sévérité.

Respect à ceci !

Annexe No. 6.

Édit Impérial du 21 Février, 1901.

(Traduction.)

Édit rendu et transmis télégraphiquement le 3^e jour de la 1^e lune (21 Février, 1901), et reçu le 4 par la Grande Chancellerie.

Par un Édit antérieur, nous avons déjà sévèrement puni, suivant leur cas, tous les hauts fonctionnaires auteurs principaux des maux présents. Mais nous avons reçu il y a quelques temps, un rapport télégraphique de Yi-K'ouang et de Li Hong-tchang, nous disant que, d'après une dépêche officielle des Ministres Plénipotentiaires des diverses Puissances, de nouvelles aggravations de peines étaient nécessaires, et nous suppliant de prendre une décision.

Outre Tsai-Hian, auquel il a été prescrit de se suicider, et Yu-Hien, contre lequel la peine de la décapitation immédiate a été prononcée et pour chacun desquels des délégués seront chargés d'aller vérifier (l'exécution des sentences), nous décidons que la peine applicable à Tsai-Yi (Prince Touan) et à Tsai-Lan (Duc Lan) est la décapitation avec sursis; toutefois, en considération des liens de parenté qui les unissent à nous, nous le faisons la faveur toute spéciale de les envoyer sur les confins de l'Empire, au Turkestan, où ils seront emprisonnés à perpétuité. Un délégué chargé de les conduire sous escorte sera désigné et partira au premier jour.

Pour Kang-Yi, dont les crimes étaient plus graves, la peine à appliquer aurait été la décapitation sans délai; mais comme il est déjà mort de maladie, il lui sera fait grâce d'un nouvel examen de son cas.

Pour Ying-Nien et Tchao Chou-K'iao, dont la peine, suivant nos précédentes décisions, devait être la décapitation avec sursis. Nous ordonnons qu'ils soient invités à se suicider, et nous chargeons Ts'en-Tch'oun-Huan, Gouverneur du Chan-si, d'aller contrôler (leur mort).

Pour K'i-Sieou et Siu Te'heng-Yu, que les Puissances désignent comme les protecteurs acharnés des bandits Boxeurs et comme ayant tout particulièrement fait du mal aux étrangers, nous avons précédemment édicté leur destitution; nous ordonnons (aujourd'hui) à Yi-K'ouang et à Li Hong-tchang de demander aux Puissances, par dépêche, leur remise, et de les faire aussitôt exécuter. L'un des Présidents du Ministère de la Justice sera chargé de contrôler (leur exécution).

Quant à Siu T'ong, qui a compromis les grands intérêts généraux en accordant à la légère confiance aux Boxeurs, et à Li Ping-Heng, dont les habitudes de vantardise ont délibérément engendré ces malheurs, la peine à leur appliquer aurait été la décapitation avec sursis; mais, prenant en considération qu'ils se sont suicidés en voyant approcher le désastre, qu'ils ont déjà été dégradés, et que les honneurs posthumes qui leur avaient été décernés ont été annulés, et retirés, il convient de ne pas revenir sur leur cas.

La nature des crimes commis par tous les auteurs principaux du mal a été exposée, d'une façon claire et détaillée, dans de précédents Décrets.

Respect à ceci !

Peking.

[Resumption of Friendly Relations.]

Annex No. 7.

Édit Impérial du 13 Février, 1901.

(Traduction.)

Les troubles suscités par les Boxeurs dans le courant de la 5^e lune (Mai-Juin) ayant augmenté de jour en jour, la Cour avait deux partis difficiles à prendre, soit de prendre des mesures coercitives, soit de les apaiser. Dans l'espoir qu'une voie nous serait indiquée, les Ministres furent appelés plusieurs fois en audience.

Nous avons maintes fois interrogé Siu Yong-yi, Président au Ministère de la Guerre, Li-chan, Président au Ministère des Finances, Hiu King-tcheng, Directeur de Gauche au Ministère de l'Intérieur, Lien-Yuan, Vice-Chancelier du Grand Secrétariat, Yuan-tchang, Directeur à la Cour des Sacrifices.

Dans leurs discours et dans leurs pensées, tous admirent que les deux méthodes étaient possibles. Plusieurs Ministres fauteurs de désordre, profitant aussitôt de cette circonstance, les accusèrent injustement, remirent des Mémoires, dans lesquels ils les dénonçaient. C'est ainsi qu'ils furent punis sévèrement dans leur personne.

Mais, songeant que Siu Yong-yi et autres ont fait preuve d'un grand zèle pendant plusieurs années et qu'ils se sont toujours occupés de questions internationales, qu'ils pouvaient être fidèles et qu'ils se sont montrés laborieux, nous devons leur accorder une faveur.

Nous ordonnons que Siu Yong-yi, Li-chan, Hiu King-tcheng, Lien-Yuan, et Yuan-tchang soient réintégrés dans leurs anciens grades.

Que le Ministère que l'affaire concerne en soit informé.

Respect à ceci !

Annexe No. 8.

Édit Impérial du 19 Août, 1901.

(Traduction.)

Édit reçu par la Grande Chancellerie le 6^e jour de la 7^e lune de la 27^e année Kouang-Siu (le 19 Août, 1901).

Vu le rapport de ce jour par lequel Yi-K'ouang et Li Hong-tchang nous font savoir que les Puissances étrangères ont décidé la suspension pendant cinq années des examens civils et militaires dans les localités qui ont été le théâtre de troubles ;

Considérant qu'il est déclaré que cette suspension devra rester applicable aux examens locaux de licence de Choun-t'ien et de Tai-yuan ;

Vu la liste comprenant les localités de :

Province du Chan-si : Tai-yuan-fou, Hin-tcheou, Tai-kou-hien, Ta-t'ong-fou, Fen-tcheou-fou, Hiao-yi-hien, K'iu-wo-hien, Ta-ning-hien, Ho-tsin-hien, Yo-Yang-hien, So-p'ing-fou, Wen-choue-hien, Cheou-yang-hien, Ping-yang-fou, Teh'ang-tze-hien, Kao-p'ing-hien, Tse-tcheou-fou, Si-tcheou, P'ou-hien, Kiang-tcheou, Kouei-houa-tch'eng, Souei-yuan-tch'eng ;

Province du Ho-nan : Nan-yang-fou, Kouang-tcheou ;

Province du Tchê-kiang : K'iu-tcheou-fou ;

Province du Tchê-li : Pékin, Choun-t'ien-fou, Pao-t'ing-fou, Yong-t'ing-hien, T'ien-tain-fou, Choun-te-fou, Wang-tou-hien, Houai-lou-hien, Sin-ngan-hien, Tong-tcheou, Wou-yi-hien, King-tcheou, Louan-p'ing-hien.

Trois provinces de Mandchourie : Cheng-king (= Moukden), Kia-tze-tch'ang, Lien-ohan, Yu-k'ing-kié, Pei-lin-tze, Hou-lan-tch'eng ;

Province du Chén-si : Ning-kiang-tcheou ;

Province du Hou-nan : Heng-tcheou-fou ;

Nous ordonnons que, dans toutes ces localités, les examens civils et militaires seront suspendus pendant une durée de cinq années, et nous prescrivons à tous les Gouverneurs-Généraux, Gouverneurs, et Examineurs des provinces visées, d'agir de conformité et de faire publier des Proclamations.

Respect à ceci !

Annexe No. 9.

Édit Impérial du 18 Juin, 1901.

(Traduction.)

Édit reçu par télégraphe de Si-ngan-fou le 3^e de la 5^e lune (18 Juin, 1901).

Nous conférons à M. Na-t'ong, second Vice-Président du Ministère des Finances, le bouton mandarinal du premier rang, et le désignons comme Envoyé spéciale pour se rendre au Japon et s'y acquitter respectueusement de la mission dont nous le chargeons.

Respect à ceci !

Annexe No. 10.

LISTE des Cimetières situés aux environs de Pékin, et qui ont été profanés.

Cimetière Anglais	....	....	....	....	1
Cimetière Français	....	....	....	....	5
Cimetière Russe	....	....	....	....	1
Total	....	....	....	....	7

Annexe No. 11.

Édit Impérial du 25 Août, 1901.

(Traduction.)

Nous ordonnons à tous les Maréchaux Tartares, Gouverneurs-Généraux, et Gouverneurs des provinces, ainsi qu'aux Taotais des Douanes, d'interdire, d'abord pour une durée de deux ans, l'importation des engins de guerre, ainsi que du matériel servant exclusivement à leur fabrication de provenance étrangère. Aviser le Ministère que cela concerne.

Respect à ceci !

Annexe No. 12.

Dépêche du Prince K'ing et de Li Hong-tchang à M. de Cologan, Ministre d'Espagne, Doyen du Corps Diplomatique, le 29 Mai, 1901.

(Traduction.)

Le 12^e jour de la 4^e lune de la 27^e année de Kouang-Siu (le 29 Mai, 1901).

Réponse officielle.

Le 7^e jour de la 4^e lune de la présente année (le 24 Mai, 1901), nous avons reçu de votre Excellence la communication officielle ci-après :—

“J'ai l'honneur d'accuser réception à votre Altesse et à votre Excellence de la lettre qu'elles ont bien voulu m'adresser en réponse à ma communication en date du 7 Mai au sujet des indemnités. Dans la lettre à laquelle votre Altesse et votre Excellence viennent de répondre nous leur faisons connaître que le chiffre des dépenses effectuées et des pertes subies par les Puissances s'élevait à la somme approximative de 450,000,000 de taels calculée jusqu'au 1^{er} Juillet.

“En réponse à cette communication, votre Altesse et votre Excellence m'ont fait connaître que le Gouvernement Chinois proposait de s'acquitter de cette somme envers les Puissances au moyen de versements mensuels de 1,250,000 taels pendant trente années.

“Les Représentants des Puissances n'ont pas manqué de transmettre cette proposition à leurs Gouvernements. Mais ils doivent appeler l'attention de votre Altesse et celle de votre Excellence sur le fait que le total des versements proposés par le Gouvernement Chinois ne représente que le capital de la somme indiquée, sans qu'il ait été tenu compte du calcul des intérêts.

“Je pris en conséquence votre Altesse et votre Excellence de vouloir bien nous faire connaître, le plus tôt possible, les intentions du Gouvernement Chinois à cet égard.”

Sept. 7, 1901.]

GREAT BRITAIN, &c., AND CHINA.

[No. 26.]

Peking.

[Resumption of Friendly Relations.]

En traitant dans une précédente dépêche la question des indemnités, nous avons exposé à votre Excellence l'état de pénurie du Trésor Chinois. Dans sa dernière communication votre Excellence veut bien nous faire observer que les versements annuels de 15,000,000 de taels que nous avons proposés ne représentent que le capital, et vous appelez maintenant notre attention sur la question des intérêts.

Estimant nous-mêmes, qu'outre le capital, il y avait lieu de tenir compte d'intérêts annuels à 4 pour cent, nous avions déjà, par télégramme, soumis au Trône des propositions à ce sujet; et, en réponse, nous avons reçu un Édit Impérial portant que "le chiffre des indemnités à payer aux Puissances de 450,000,000 avec intérêts à 4 pour cent est approuvé, et nous commandant de prendre les mesures nécessaires pour donner suite à cette décision."

Nous n'avons donc plus qu'à nous conformer aux ordres du Trône.

Toutefois ceci nous oblige à rappeler à votre Excellence que les ressources financières de la Chine sont tellement limitées qu'aucun prélèvement n'est possible en dehors des 15,000,000 de taels que nous avons déjà proposé à votre Excellence d'affecter spécialement au paiement des indemnités. Or, puisqu'ils doivent faire face non-seulement au paiement du capital, mais aussi au service des intérêts, nous n'avons d'autre alternative à proposer que de prolonger le terme des paiements que nous avions fixé d'abord à trente années, de telle manière que les versements effectués pendant la première période de ce terme ainsi prolongé soient considérés comme destinés à étendre le capital, pendant que ceux opérés au cours de la seconde période serviraient à liquider le compte des intérêts: tout paiement cesserait alors par suite de l'extinction de la dette. La Douane Impériale Maritime, déjà chargée, comme nous le proposons, des versements du capital, serait également chargée du versement des intérêts. Quant au chiffre des intérêts annuels, il serait entendu qu'il diminuerait proportionnellement d'année en année à mesure de l'extinction progressive du capital.

Nous avons l'honneur de prier votre Excellence de vouloir bien nous faire connaître ce qu'elle pense du mode de procédure que nous lui proposons ci-dessus pour acquitter le capital et les intérêts, ou, si à son avis il ne vaudrait pas mieux considérer une partie des 15,000,000 versés annuellement comme au compte sur les intérêts à servir. Ces détails demandent un examen attentif et exigent une entente préalable et complète.

La Chine ayant ainsi montré tout son bon vouloir en accédant aux demandes des Puissances sur la question des indemnités, et prenant toutes les dispositions nécessaires pour en assurer le paiement intégral, nous espérons avoir bientôt la satisfaction d'apprendre que les Puissances se trouvent à même de fixer une date prochaine à l'évacuation.

Nous avons l'honneur de prier votre Excellence de vouloir bien porter cette communication à la connaissance des Représentants des Puissances.

Annexe No. 13.

PLAN D'AMORTISSEMENT.

Années.	Série A.		Série B.		Série C.		Série D.		Série E.		Montant des sommes dues pour les Séries A, B, C, D, E.	Annuités de Dette existante garantie par les Douanes M.-I. et les Li-kina.	Montant total de la Dette Étrangère.
	75,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 1,108 pour cent en 39 ans commençant en 1902.	Int. et Am.	60,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 1,785 pour cent en 30 ans commençant en 1911.	Int. et Am.	150,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 2,236 pour cent en 36 ans commençant en 1913.	Int.	50,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 2,401 pour cent en 25 ans commençant en 1916.	Int.	115,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 9,449 pour cent en 9 ans commençant en 1921.	Int.			
1902	Int. et Am.	Int. et Am.	Int. et Am.	Int. et Am.	Int.	Int.	Int.	Int.	Int.	Int.	Taels.	Taels.	Taels.
1903	"	"	"	"	"	"	"	"	"	"	"	"	"
1904	"	"	"	"	"	"	"	"	"	"	"	"	"
1905	"	"	"	"	"	"	"	"	"	"	"	"	"
1906	"	"	"	"	"	"	"	"	"	"	"	"	"
1907	"	"	"	"	"	"	"	"	"	"	"	"	"
1908	"	"	"	"	"	"	"	"	"	"	"	"	"
1909	"	"	"	"	"	"	"	"	"	"	"	"	"
1910	"	"	"	"	"	"	"	"	"	"	"	"	"
1911	"	"	Int. et Am.	Int. et Am.	"	"	"	"	"	"	19,839,300	22,500,000	42,699,300
1912	"	"	"	"	"	"	"	"	"	"	"	22,600,000	42,699,300
1913	"	"	"	"	"	"	"	"	"	"	"	22,600,000	42,699,300
1914	"	"	"	"	Int. et Am.	Int. et Am.	"	"	"	"	22,600,000	42,699,300	42,699,300
1915	"	"	"	"	"	"	"	"	"	"	22,600,000	42,699,300	42,699,300
1916	"	"	"	"	"	"	Int. et Am.	Int. et Am.	"	"	24,483,800	15,500,000	42,983,800
1917	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1918	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1919	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1920	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1921	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1922	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1923	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800
1924	"	"	"	"	"	"	"	"	"	"	"	15,500,000	42,983,800

Sept. 7, 1901.]
Peking.

GREAT BRITAIN, &c., AND CHINA.
[Resumption of Friendly Relations.]

[No. 28.]

Annexe No. 18—continued.

PLAN D'AMORTISSEMENT—continued.

Années.	Série A.	Série B.	Série C.	Série D.	Série E.	Montant des sommes pour les séries A, B, C, D, E.	Annuités de Dette existante garantie par les Douanes M.-I. et les Li-kia.	Montant total de la Dette Étrangère.
	75,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 1'105 pour cent en 20 ans commençant en 1902.	60,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 1'783 pour cent en 20 ans commençant en 1911.	150,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 2'356 pour cent en 26 ans commençant en 1914.	50,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 3'401 pour cent en 26 ans commençant en 1916.	115,000,000 Taels. Éteinte en 1940 par un amortissement annuel de 9'449 pour cent en 9 ans commençant en 1922.	Taels. 24,653,300	Taels. 19,500,000	Taels. 42,983,800
1925	Int. et. 2,629,500 Am.	Int. et. 2,466,500 Am.	Int. et. 9,294,000 Am.	Int. et. 2,500,500 Am.	Int. et. 4,607,000 Am.	"	"	42,983,800
1926	"	"	"	"	"	"	"	42,983,800
1927	"	"	"	"	"	"	"	42,983,800
1928	"	"	"	"	"	"	"	42,983,800
1929	"	"	"	"	"	"	"	42,983,800
1930	"	"	"	"	"	"	"	42,983,800
1931	"	"	"	"	"	"	"	42,983,800
1932	"	"	"	"	Int. et. 12,466,350 Am.	24,350,150	7,500,000	42,983,800
1933	"	"	"	"	"	"	6,300,000	41,650,150
1934	"	"	"	"	"	"	5,900,000	41,250,150
1935	"	"	"	"	"	"	5,900,000	41,250,150
1936	"	"	"	"	"	"	5,900,000	41,250,150
1937	"	"	"	"	"	"	5,900,000	41,250,150
1938	"	"	"	"	"	"	5,900,000	41,250,150
1939	"	"	"	"	"	"	5,900,000	41,250,150
1940	"	"	"	"	"	"	5,900,000	41,250,150
	4'18425 de toute la somme de 450,000,000 taels à partir de 1902.	4'15773 ou, 7 compris le précédent taux, 4'12256 de toute la somme de 450,000,000 taels à partir de 1911.	4'75900 ou, 7 compris le précédent taux, 8'17406 de toute la somme de 450,000,000 taels à partir de 1914.	4'26677 ou, 7 compris le précédent taux, 5'44983 de toute la somme de 450,000,000 taels à partir de 1916.	6'41477 ou, 7 compris le précédent taux, 7'85560 de toute la somme de 450,000,000 taels à partir de 1922.	Montant total à payer, 982,263,150 taels.		

Annexe No. 14.*

Description des Limites du Quartier des Légations à Pékin.

Le point 1 est situé sur la muraille sud de la ville Tartare à 100 pieds à l'est du côté est de la superstructure de la Tsien Men. De ce point la limite court, sur une longueur de 216 pieds, suivant une ligne presque directement nord, jusqu'au.

Point 2, coin sud-est de la balustrade en pierres blanches qui entoure l'espace ouvert, pavé, devant l'entrée principale de la Cité Impériale.

Du ce point la limite court, sur une longueur de 810 pieds, le long du côté est de cette balustrade, presque directement au nord jusqu'au.

Point 3, situé sur le côté nord de la route qui fait suite à la Rue des Légations, et qui est à l'intersection de la limite venant de 2 et d'une ligne tirée en prolongement du côté nord de la Rue des Légations.

De ce point la ligne court, sur une longueur de 641½ pieds (mesurés autour et dans les coins du mur), le long du côté nord de la Rue des Légations jusqu'au.

Point 4, à 148 pieds à l'ouest du coin (sud-ouest) de la Gaselee Road, mesurés le long du nord de la Rue des Légations.

Depuis ce point la limite court, sur une longueur de 2,152 pieds (mesurés autour et dans les coins des constructions), dans la direction générale du nord, mais en côtoyant les constructions actuellement existantes, et, dans les espaces ouverts entre les constructions, le long d'une ligne parallèle à l'alignement général du côté gauche de la Gaselee Road et à 157 pieds à l'ouest côté ouest de la porte qui mène de la Gaselee Road à la cour extérieure de la Cité Impériale, jusqu'au.

Point 5, sur la face sud du mur sud de la cour extérieure de la Cité Impériale, et à 157 pieds depuis le côté ouest de la porte au bout de la Gaselee Road.

Depuis ce point la ligne court sur une distance de 1,283 pieds presque directement dans l'est, le long du mur, jusqu'au.

Point 6, coin sud-est de la cour extérieure de la Cité Impériale.

De là, la ligne court presque directement au nord, le long du mur, sur une distance de 218 pieds mesurés en droit ligne jusqu'au.

Point 7, coin nord-est de la cour extérieure.

De là, la ligne court presque droite dans l'est, sur une distance de 681 pieds jusqu'au.

Point 8, coin sud-est de la muraille de la Cité Impériale.

De ce point la limite court presque directement au nord, sur une distance de 65 pieds, le long du mur jusqu'au.

Point 9, à 65 pieds du coin sud-est du mur de la Cité Impériale.

De là, la limite court directement à l'est sur une longueur de 3,010 pieds jusqu'au.

Point 10, sur le côté ouest de la Ketteler Strasse et à 300 pieds du coin d'intersection de la Ketteler Strasse et de la Viale Italia.

De ce point la limite court presque directement au sud, le long de la face ouest de la Ketteler Strasse jusqu'au.

Point 11, coin nord-ouest de la voûte de la Hatamen, sur la muraille sud de la ville Tartare.

De là, la limite court le long du mur et comprend la rampe ouest de la Hatamen jusqu'au.

Point 12, sur le mur à 100 pieds à l'ouest de la superstructure de la Hatamen.

A partir de 12, la limite suit la face sud de la muraille, comme le montre le plan, y compris les bastions, et va rejoindre 1.

Les points du plan dont les relèvements sont pris sont les suivants :—

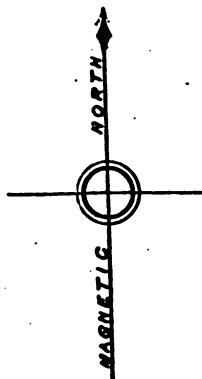
(A.) Point à 107 pieds de la superstructure de la Tsien Men, mesuré à l'est le long du bord nord du faite du mur de la ville Tartare.

(B.) Point sur le sommet du bord nord du mur de la ville Tartare, juste au-dessus du milieu du canal d'écoulement des eaux.

(C.) Coin nord-ouest de la superstructure de la Hatamen.

* See Plan.

E.S.



3010

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VIALE ITALIA

TELER STRASSE

3797

Annexe No. 16.

*Décret Impérial du 24 Décembre, 1900.**

(Traduction.)

Il a été stipulé dans les Traités passés entre la Chine et les Puissances étrangères que les nationaux de ces Puissances auront la faculté de pénétrer dans l'intérieur.

La Cour, pour assurer et maintenir les relations avec les autres pays, a déjà rendu des Décrets prescrivant que l'on fasse les efforts les plus sincères dans les provinces pour assurer la protection. Cependant, les autorités locales s'étant relâchées peu à peu (dans l'exercice de leurs fonctions), des troubles ont été causés par les malfaiteurs, et des attaques ont été dirigées contre les étrangers. On a vu de semblables incidents se renouveler plusieurs fois.

Nous comprenons que nos qualités ont été trop faibles pour amener le peuple ignorant à se réformer, ce qui nous a conduit à commettre des fautes immenses. Pas un seul Mandarin local n'a su, en temps ordinaire, faire connaître les affaires Européennes, et aucun n'a compris l'importance des relations étrangères. Aussi la conflagration s'est-elle étendue partout menaçant l'Empire, et s'ils s'interrogent en eux-mêmes, ils ne se sentiront pas tranquilles.

Dorénavant chacun d'entre vous devra s'appliquer à repousser ses ressentiments et à dépourvoir ses préjugés. Vous devez savoir que, de tous temps, l'entretien de relations amicales avec les pays étrangers a été une règle fondamentale. Les gens qui arrivent en Chine venant de loin, soit comme marchands pour y échanger leurs produits, soit comme voyageurs pour augmenter leurs connaissances scientifiques, ou encore comme missionnaires pour prêcher la religion, dans le but d'exhorter les gens à faire le bien, ont franchi les montagnes et traversé les mers aux prix des plus grandes fatigues.

Puisque la Chine passe pour un pays civilisé, elle doit pratiquer les devoirs d'un hôte envers ses invités. D'ailleurs, les Chinois qui, dans ces dernières années, se sont rendus à l'étranger, sont au moins plusieurs centaines de milles. Leurs personnes et leurs biens dépendent de la garantie que leur assurent les Puissances qui leur ont donné leur protection. Comment pourrions-nous continuer de traiter différemment leurs nationaux ?

Nous ordonnons de nouveau à toutes les Hautes Autorités civiles et militaires responsables de toutes les provinces de prescrire à leurs subordonnés de protéger, de la façon la plus efficace, les agents et nationaux des Puissances étrangères qui viendraient dans leurs circonscriptions. Dans le cas où des malfaiteurs audacieux pousseraient à maltraiter et massacrer des étrangers, on devra sur le champ aller rétablir l'ordre, arrêter les coupables, et les châtier. Aucun retard ne devra y être apporté. Si, par suite d'indifférence, ou plus, de tolérance volontaire, de grandes calamités venaient à se produire, ou si des infractions aux Traités venaient à se produire, et n'étaient pas immédiatement réprimées et punies, les Gouverneurs-Généraux, Gouverneurs, et fonctionnaires provinciaux ou locaux responsables seront révoqués sans pouvoir être appelés à de nouvelles fonctions dans d'autres provinces, ou espérer être réintégré, ni recevoir de nouveaux honneurs.

Le présent Décret devra être imprimé et publié afin de prévenir les Mandarins et le peuple et mettre fin à toutes ces habitudes indignes.

Respect à ceci !

Annexe No. 17.

Règlement pour l'Amélioration du Cours du Whangpou. †

1. Il est établi à Shanghai un Conseil fluvial (River Conservancy Board) pour la Rivière Whangpou.
2. Le Conseil aura le double devoir d'agir comme organe de rectification et d'amélioration de la voie fluviale et comme organe de contrôle.
3. La juridiction du Conseil s'étendra depuis une ligne tirée de la limite inférieure

* Referred to in the Final Protocol as "Édit du 1^{er} Février, 1901."

† See Order in Council of 6th March, 1902 (No. 148), and Agreement of 27th September, 1905 (No. 31).

Peking.

[Resumption of Friendly Relations.]

de l'arsenal de Kiang-nau vers l'embouchure de la crique dite "de l'Arsenal," jusqu'à la bouée rouge dans le Yang-tse.

4. Le Conseil sera constitué comme suit :—

- (a.) Le Tao-tai ;
- (b.) Le Commissaire des Douanes ;
- (c.) Deux membres élus par le Corps Consulaire ;
- (d.) Deux membres de la Chambre générale de Commerce de Shanghai, élus par le Comité de cette Chambre ;
- (e.) Deux membres représentant les intérêts de la navigation, élus par les Sociétés de Navigation, les maisons de commerce, et les négociants dont le trafic maritime, pour le total des entrées et sorties à Shanghai, à Wousong, ou dans tout autre port sur le Whangpou, excède 50,000 tonnes par an ;
- (f.) Un membre du Conseil municipal de la Concession Internationale ("International Settlement") ;
- (g.) Un membre du Conseil municipal de la Concession Française ;
- (h.) Un Représentant de chacun des pays dont le trafic maritime, pour le total des entrées et sorties à Shanghai, à Wousong, ou dans tout autre port sur le Whangpou, excède 200,000 tonneaux de jauge par an. Ces Représentants seront désignés par les Gouvernements des pays en question.

5. Les membres de droit rempliront leur mandat tant qu'ils occuperont le poste en vertu duquel il font partie du Conseil.

6. Les Représentants des Conseils municipaux et de la Chambre de Commerce seront élus pour la période d'un an. Ils seront immédiatement rééligibles.

Seront également désignés pour la période d'un an, les Représentants des Gouvernements prévus à la section (A) de l'Article 4.

Le mandat des autres membres sera de trois ans ; ils seront immédiatement rééligibles.

7. En cas de vacance au cours d'un mandat, le successeur du membre sortant sera désigné pour un an ou pour trois ans selon la catégorie à laquelle il appartient.

8. Le Conseil nommera pour un an son Président et son Vice-Président, choisis parmi ses membres. S'il n'y a pas de majorité pour l'élection du Président, le doyen du Corps Consulaire sera prié de former une majorité par son vote.

9. En cas d'absence du Président, celui-ci sera remplacé par le Vice-Président. Si tous deux sont absents, les membres présents désigneront parmi eux un Président *ad hoc*.

10. Dans toutes les séances du Conseil, s'il y a partage égal de voix, celle du Président sera décisive.

11. Le Conseil ne pourra délibérer que lorsque quatre de ses membres au moins seront présents.

12. Le Conseil nommera les fonctionnaires et employés qu'il jugera nécessaires à l'exécution des travaux et à l'application des règlements, fixera leurs appointements, salaires et gratifications, qu'il paiera sur les fonds mis à sa disposition. Il pourra édicter des règlements, prendre toutes les dispositions applicables à son personnel, et congédier celui-ci à volonté.

13. Le Conseil arrêtera les dispositions nécessaires à la réglementation du trafic, y compris l'installation des appareils de mouillage en rivière et la réglementation des mouillages eux-mêmes, dans les limites indiquées à l'Article 3, ainsi que sur toutes les voies d'eau telles que les criques de Sou-Tchéou et autres traversant la Concession Française ou la Concession Internationale ("International Settlement") à Shanghai et dans le quartier étranger de Wousong, de même que sur toutes les autres criques débouchant dans la rivière, jusqu'à une distance de 2 milles Anglais en amont de leur embouchure.

14. Le Conseil aura le droit d'exproprier les appareils de mouillage fixes appartenant à des particuliers, et d'établir un système d'appareils de mouillage publics dans la rivière.

15. L'autorisation du Conseil sera nécessaire pour l'exécution de tous travaux de dragage, de construction de quais et de jetées, ainsi que pour l'établissement de tous pontons ou maisons flottantes, dans la section de la rivière mentionnées à l'Article 13. Le Conseil pourra refuser à discrétion cette autorisation.

16. Le Conseil aura pleins pouvoirs pour faire enlever tous obstacles dans la rivière ou dans les criques sus-mentionnées, et pour recouvrer, si cela est nécessaire, sur les personnes qui seraient responsables, les dépenses qui en résulteraient.

17. Le Conseil aura la disposition de tous feux flottants, bouées, balises, amers, et signaux lumineux, dans la section de la rivière et dans les criques mentionnées à l'Article 13, ainsi que de tous appareils établis à terre et nécessaires à la sûreté de la navigation fluviale, à l'exception des phares, auxquels reste applicable

l'Article XXXII du Traité de 1858 (No. 6) entre la Grande-Bretagne et la Chine.

18. Les travaux d'amélioration et de conservation du Whangpou seront, dans leur entier, sous la direction technique du Conseil, même si leur exécution nécessitait des travaux en dehors des limites de sa juridiction. Dans ce cas, les ordres nécessaires seraient transmis par l'autorité Chinoise, et exécutés de son consentement.

19. Le Conseil encaissera et déboursera tous les fonds qui seront prélevés pour les travaux, et il prendra, d'accord avec l'autorité compétente, toutes les mesures propres à assurer le recouvrement des taxes et l'application des règlements.

20. Le Conseil nommera le Capitaine de Porte et son personnel. Ce service de port exercera son action dans les limites des pouvoirs attribués au Conseil, dans la partie de la rivière indiquée à l'Article 13.

21. Le Conseil aura le pouvoir d'organiser un service de police et de surveillance destiné à assurer l'exécution de ses règlements et de ses ordres.

22. Le Conseil aura la direction et la réglementation du service de pilotage de Shanghai ("Lower Yang-tze pilots"). Les brevets de pilotes patentés pour les navires se rendant à Shanghai ne pourront être délivrés que par le Conseil, qui en disposera à son gré.

23. En cas de contravention à ses règlements, le Conseil poursuivra les contrevenants de la façon suivante :

Les étrangers, devant leurs Consuls respectifs ou devant les autorités judiciaires compétentes ; les Chinois ou les étrangers dont le Gouvernement n'est pas représenté en Chine, devant la Cour mixte, en présence d'un assesseur de nationalité non-Chinoise.

24. Tout procès intenté au Conseil sera porté devant la Cour Consulaire ("Court of Consuls") de Shanghai. Le Conseil sera représenté dans les procès par son Secrétaire.

25. Les membres du Conseil et les personnes employées par lui ne pourront encourir aucune responsabilité personnelle du fait des votes et des actes du Conseil, des contrats passés ou des dépenses engagées par cette assemblée, lorsque les dits votes, actes, contrats, et dépenses se rapporteront, soit à l'élaboration, soit à l'application, sous l'autorité ou d'après les ordres du Conseil ou de l'un des services qui en dépendent, des règlements émanant de l'assemblée en question.

26. En dehors des dispositions mentionnées à l'Article 13 de la présente Annexe, le Conseil aura le pouvoir de promulguer, dans les limites de sa compétence, toutes Ordonnances et tous Règlements nécessaires, et de fixer des amendes pour les cas de contravention.

27. Les Ordonnances et Règlements indiqués à l'Article 26 seront soumis à l'approbation du Corps Consulaire. Si, deux mois après la présentation du projet, le Corps Consulaire n'y a pas mis d'opposition ou suggéré de modifications, le projet sera considéré comme approuvé et exécutable.

28. Le Conseil aura le droit d'acquérir tous terrains nécessaires à l'exécution des travaux d'amélioration et de conservation du Whangpou, et de disposer des dits terrains. Si, dans cet ordre d'idées, il était jugé utile d'exproprier des terrains, on suivra les règles établies à l'Article 6 (a) (No. 143) des "Land Regulations for the Foreign Settlement of Shanghai, north of the Yang-King-pang." Dans ce cas, le prix sera fixé par une Commission composée de : (1) une personne choisie par l'autorité dont le propriétaire est ressortissant ; (2) une autre, choisie par le Conseil ; (3) une troisième, choisie par le doyen du Corps Consulaire.

29. Les propriétaires riverains auront un droit de préférence pour l'achat de tout terrain créé en avant de leurs propriétés par les assèchements effectués pour l'amélioration des voies fluviales en question. Les prix d'acquisition de ces terrains seront fixés par une Commission constituée de la même manière qu'à l'Article 28.

30. Les revenus du Conseil se composeront de—

(a.) Une taxe annuelle d'un dixième pour cent sur la valeur imposable de la propriété foncière bâtie et non bâtie dans la Concession Française et dans la Concession Internationale ("International Settlement").

(b.) Une taxe égale sur tout propriété située sur les rives du Whangpou, à partir d'une ligne tirée de la limite inférieure de l'arsenal de Kiang-nan vers l'embouchure de la crique dite "de l'Arsenal," jusqu'à l'endroit où le Whangpou se jette dans le Yang-tze. La valeur imposable de ces propriétés sera fixée par la Commission mentionnée à l'Article 28.

(c.) Une taxe de 5 candarins par tonne sur tout navire de type non-Chinois et d'un tonnage supérieur à 150 tonneaux, entrant dans les ports de Shanghai, de Wousong, ou dans tout autre port sur le Whangpou, ou en sortant.

Aug. 29, 1902.] GREAT BRITAIN, &c., AND CHINA.

[No. 27.]

[Chinese Import Tariff.]

(No. 27.) *AGREEMENT between the Special Commissioners respecting the new Chinese Import Tariff.* (Tariff and Rules annexed.) Signed at Shanghai, 29th August, 1902.*

[Signed also in Chinese.]

WHEREAS it was provided by the Final Protocol signed at Peking on the 7th of September, 1901 (No. 26) (Article VI), that the existing Tariff on goods imported into China should be increased to an effective 5 per cent., and whereas it was further provided that all duties levied on imports *ad valorem* should be converted as far as feasible and with the least possible delay into specific duties, this conversion to be effected in the following manner:—The average value of merchandise at the time of landing during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duty and incidental expenses, to be taken as the basis for the valuation of such merchandise.

The Special Commissioners of—

Austria-Hungary—

M. E. von Hirsch;

Belgium—

M. D. Siffert;

Germany—

Dr. A. Boyé;

Great Britain—

Sir James L. Mackay;

Japan—

Mr. E. Hioki, Mr. M. Odagiri, Mr. J. Yamaoka;

Netherlands—

M. G. D. Advocaat, M. F. B. s'Jacob;

Spain—

M. D. Siffert; and of

China—

Their Excellencies Lu Hai-Hüan and Shêng Hsüan-huai,

have agreed and determined, on the basis aforesaid, upon the Tariff hereto appended together with certain Rules for the application thereof; and do hereby agree that the said Tariff and Rules shall be binding on the Governments and subjects of their respective Countries and of China.

The Tariff and Rules aforesaid shall be binding on and after the 31st October, 1902, the first day of the tenth Chinese moon.

Should it be ascertained hereafter that any articles have

* See footnote on page 170. For Export Tariff, see page 45.

Ministres qui le composaient n'exerçaient pour la plupart ces fonctions qu'accessoirement à d'autres, ils ne pouvaient s'y consacrer exclusivement. Il convient donc naturellement de créer des fonctions spéciales afin que chacun ait son attribution propre.

" Nous ordonnons en conséquence que l'Office des Affaires Étrangères (Tsong li ko kouo che-wou yamen) soit changé en Ministère des Affaires Étrangères (Wai Wou pou) et prenne rang avant les six Ministères. Et nous désignons Yi-Kouang, Prince du premier rang K'ing, comme Président du Ministère des Affaires Étrangères.

" M. Wang Wen Chao, Grand Secrétaire d'État du Ti-jen Ko, est nommé Président-adjoint au Ministère des Affaires Étrangères; M. K'in Hong ki, Président du Ministère des Travaux Publics, passe avec le même titre au Ministère des Affaires Étrangères, où il est nommé Président-adjoint; M. Sin Chéou p'eng, Directeur de la Cour des Haras, et M. Lien-fang, Expectant Sous-Directeur Métropolitain de troisième ou quatrième rang, sont nommés premier et second Directeurs (ou Sous-Secrétaires).

" En ce qui regarde la fixation du personnel, les règlements qui devront présider à son choix, les émoluments à attribuer aux Ministres, Directeurs, et autres Agents, nous prescrivons aux Conseillers de Gouvernement de se concerter avec le Ministère du Personnel, et de nous adresser promptement leurs conclusions par voie de rapport.

" Respect à ceci."

Annexe No. 19.

Mémoire sur le Cérémonial à observer dans les Audiences solennelles.

1. Les audiences solennelles données par Sa Majesté l'Empereur de Chine au Corps Diplomatique ou aux Représentants des Puissances séparément auront lieu dans la salle du Palais appelée "K'ien-ts'ing Kong."

2. En allant à ces audiences solennelles ou en revenant les Représentants des Puissances seront portés dans leur chaise jusqu'à l'extérieur de la porte King-yun. A la porte King-yun ils devront descendre de la chaise dans laquelle ils seront venus et être portés dans une petite chaise (i chiao) jusqu'au pied des marches de la porte K'ien-ts'ing.

En arrivant à la porte K'ien-ts'ing les Représentants des Puissances devront descendre de chaise et s'avancer à pied jusqu'en présence de Sa Majesté dans la salle K'ien-ts'ing Kong.

En partant, les Représentants des Puissances devront retourner à leur résidence de la même manière qu'ils seront venus.

3. Quand un Représentant d'une Puissance aura à présenter à Sa Majesté l'Empereur ses lettres de créance ou une communication du Chef de l'État par lequel il est accrédité, l'Empereur fera envoyer à la résidence du dit Représentant, pour le porter au Palais, une chaise à porteurs avec des garnitures et des glands jaunes, telles que celles qui sont à l'usage des Princes de la famille Impériale. Le dit Représentant sera reconduit chez lui de la même manière. Une escorte de troupes sera également envoyée à la résidence du dit Représentant pour l'accompagner à l'aller et au retour.

4. En présentant ses lettres de créance ou une communication du Chef de l'État par lequel il est accrédité, l'Agent Diplomatique, pendant qu'il portera les dites lettres ou communications, passera par les ouvertures centrales des portes du Palais jusqu'à ce qu'il soit parvenu en présence de Sa Majesté. En revenant de ces audiences il se conformera, en ce qui concerne les portes par lesquelles il pourra avoir à passer, aux usages déjà établis à la Cour de Pékin pour les audiences données aux Représentants étrangers.

5. L'Empereur recevra directement entre ses mains les lettres et communications ci-dessus mentionnées que les Représentants étrangers pourront avoir à lui remettre.

6. Si Sa Majesté décidait d'inviter à un banquet les Représentants des Puissances, il est bien entendu que ce banquet devra avoir lieu dans une des salles du Palais Impérial et que Sa Majesté devra y assister en personne.

7. En un mot, le cérémonial adopté par la Chine à l'égard des Représentants étrangers ne pourra être, en aucun cas, différent de celui qui résulte d'une parfaite égalité entre les pays concernés et la Chine, sans aucune perte de prestige de part et d'autre.

(No. 27.) *AGREEMENT between the Special Commissioners respecting the new Chinese Import Tariff.* (Tariff and Rules annexed.) Signed at Shanghai, 29th August, 1902.*

[Signed also in Chinese.]

WHEREAS it was provided by the Final Protocol signed at Peking on the 7th of September, 1901 (No. 26) (Article VI), that the existing Tariff on goods imported into China should be increased to an effective 5 per cent., and whereas it was further provided that all duties levied on imports *ad valorem* should be converted as far as feasible and with the least possible delay into specific duties, this conversion to be effected in the following manner:—The average value of merchandise at the time of landing during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duty and incidental expenses, to be taken as the basis for the valuation of such merchandise.

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Should it be ascertained hereafter that any articles have

* See footnote on page 170. For Export Tariff, see page 45.

[Chinese Import Tariff.]

been omitted from this Tariff which it is found can be conveniently provided for on a specific basis in terms of the Final Protocol of 1901, it is understood that the necessary additions shall be made at rates to be mutually agreed upon by Representatives of the various Powers by whom this Tariff has been signed.

It is understood that, in the event of there being any difference of meaning between the English and Chinese Texts of the Tariff and Rules, the sense as expressed in the English Text shall be held to be the correct sense.

The present Agreement has been drawn up in eight identic copies and signed by all the Special Commissioners of the countries aforesaid. One copy shall be given to the Special Commissioners of each Foreign Country, and one copy shall be given to the Chinese Special Commissioners.

[Here follow the signatures of the Special Commissioners.]*

Shanghai, Friday, August 29, 1902.

TARIFF.†

[NOTE.—1 picul = 100 catties = 133½ lb. av. 1 Haikwan tael, at present rate of exchange‡ = about 2s. 7d.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Agar-agar	Picul	0·300
Agaric. See Fungus.		
Amber....	Catty	0·325
Aniseed, star—		
1st quality (value 15 taels and over per picul)	Picul	1·000
2nd quality (value under 15 taels per picul)	"	0·440
Apricot seed	"	0·900
Arrowroot and arrowroot flour	Value	5 per cent.
Asafoetida	Picul	1·000
Asbestos—		
Boiler composition....	"	0·200
Fibre	"	5·000
Millboard	"	0·500
Packing, including sheets and blocks	"	3·500
" metallic	"	5·000
Yarn	"	2·250
Awabi	"	1·500
Bacon and ham	Value	5 per cent.
Bags—		
Grass	Thousand	1·250
Gunny	"	4·250
" old	Value	5 per cent.
Hemp	Thousand	4·250
" old	Value	5 per cent.
Straw	Thousand	1·250

* See footnote on page 170.

† For Export Tariff, see page 45. For the accession of China to the "Customs Tariff Publication Convention, 1890," see "Hertael's Commercial Treaties," Vol. 19, page 171.

‡ October, 1902. See footnote on page 41. The average rate of exchange for the quarter ended 31st December, 1907, was 6·39 = £1.

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Ilk. Tarls.
Baking powder—		
4-oz. bottles or tins	Dozen	0·083
6 " "	"	0·110
8 " "	"	0·145
12 " "	"	0·226
1-lb. bottles or tins	"	0·303
3 " "	"	0·810
5 " "	"	1·350
Bark—		
Mangrove	Picul	0·073
Plum-tree	"	0·120
Yellow (for dyeing)	Value	5 per cent.
" (medicinal)	Picul	0·800
Barley, pearl	"	0·300
Basins—		
Tin (common)	Gross	0·250
Iron, enamelled—		
Up to 9 ins. in diameter, decorated or un-	Dozen	0·030
decorated	"	0·090
Over 9 ins. in diameter, agate, blue and white,	"	0·175
grey or mottled, undecorated	"	0·125
Over 9 ins. in diameter, decorated (with gold)	"	
Over 9 ins. in diameter, decorated (without	"	
gold)	"	
Beads—		
Coral	Catty	0·750
Cornelian	Picul	7·000
Glass, all kinds	Value	5 per cent.
Beer. See Wines, &c.		
Beeswax, yellow	Picul	1·600
Belting	Value	5 per cent.
Betel-nut—		
Husk, dried	Picul	0·077
" fresh	"	0·018
Leaves, dried	"	0·015
Betel-nuts—		
Dried	"	0·225
Fresh	"	0·018
Bezoar, cow, Indian	Value	5 per cent.
Bêche-de-mer—		
Black	Picul	1·600
White	"	0·700
Bicycle materials	Value	5 per cent.
Bicycles	Each	3·000
Birds' nests—		
1st quality	Catty	1·400
2nd " "	"	0·450
3rd " "	"	0·150
Blues—		
Paris	Picul	1·500
Prussian	"	1·500
Bones, tiger	"	2·500
Books—		
Chinese		Free.
Printed, charts, maps, newspapers, and periodicals		"
Borax—		
Crude	Picul	0·610
Refined	"	1·400
Braid, llama	"	5·000
Bricks, fire	Value	5 per cent.

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.
Bronze powder	Per— Picul Hk. Taels.
Butter, in tins, jars, and other packages	Picul 2.200
Buttons—	" 2.000
Agate and porcelain	12 gross 0.010
Brass, and other kinds (not jewellery)	Gross 0.020
Byrrh. See Wines, &c.	
Camphor	Picul 1.650
" Barroos, clean	Catty 2.450
" refuse	Value 5 per cent.
Candles—	
9-oz.	Case of 25 pack- ages of 6 candles 0.075
12-oz.	" 0.100
16-oz.	" 0.133
(Other weights, duty in proportion.)	
Candles of all kinds, differently packed	Picul 0.750
Canes—	
Bamboo	Thousand 0.400
Coir, 1 ft. long	Picul 0.200
" 5 ft. "	Thousand 0.300
Canned fruits, vegetables, &c. (all weights and measures approximate)—	
Apples	
Apricots Table fruits	Dozen 2½-lb. cans 0.065
Grapes	
Peaches	
Pears Pie fruits	" 0.067
Plums	
Preserved fruits, in glass bottles, jars, cardboard or wooden boxes, including weight of imme- diate package	Picul 0.650
Asparagus	Dozen 2½-lb. tins 0.118
Corn	Dozen 2-lb. tins 0.061
Peas	" 0.060
String beans	" 0.064
Tomatoes	Dozen 2½-lb. tins 0.054
All other vegetables preserved in tins, bottles, or jars, including weight of immediate package	Picul 0.525
Tomato sauce and catsup—	
½-pint bottles	Dozen 0.054
1 "	" 0.067
Jams and jellies—	
1-lb. tins, bottles, or jars	" 0.060
2 "	" 0.118
Milk (including " condensed)	Case of 4 dozen 1-lb. tins 0.250
Cream, evaporated—	
4 doz. pints (family size)	Case 0.220
2 " quarts (hotel ")	" 0.260
Canned meats—	
Bacon or ham, sliced—	
½-lb. tins	Dozen 0.077
1 "	" 0.141
Dried beef, sliced	Dozen 1-lb. jars 0.144

Name of Article.	Tariff Unit and Duty.	
Canned meats—<i>contd.</i>	Per—	Hk. Taels.
Mincedmeat—		
1½-lb. pails	Dozen	0·100
3	"	0·181
Kits, ½ barrels and barrels	Picul	0·799
Pork and beans, plain or with tomato sauce—		
1-lb. tins	Dozen	0·040
2	"	0·075
3	"	0·085
Potted and devilled meat—		
½-lb. tins	"	0·023
1	"	0·043
Potted and devilled poultry and poultry and meat combined—		
½-lb. tins	"	0·012
1	"	0·072
Soup and bouilli—		
2-lb. tins	"	0·101
6	"	0·244
Tamales chicken—		
½-lb. tins	"	0·051
1	"	0·090
Tongues of every description—		
½-lb. tins	"	0·098
1	"	0·204
1½	"	0·287
2	"	0·333
2½	"	0·445
3	"	0·515
3½	"	0·545
All other canned meats, including game, of every description, with or without vegetables—		
½-lb. tins	"	0·052
1	"	0·063
2	"	0·120
4	"	0·210
6	"	0·370
14	"	0·810
Canvas and cotton duck, not exceeding 36 ins. wide	Yard	0·010
Capoor cutchery	Value	5 per cent.
Cardamoms—		
Superior and amomums	Picul	10·000
Inferior, or grains of paradise	"	1·000
Husk	"	0·250
Cards, playing	Value	5 per cent.
Cassia—		
Buds	Picul	0·750
Lignea	"	0·920
Twigs	"	0·170
Cement	Cask of 3 piculs	0·150
Cereals and flour .....	...	Free.
<i>Including barley, maize, millet, oats, paddy, rice, wheat, and flour made therefrom; also buckwheat and buckwheat flour, corn flour and yellow corn meal, rye flour, and havis flour.</i>		
<i>But not including arrowroot and arrowroot flour, cracked wheat, germea, hominy, pearl barley, potato flour, quaker oats, rolled oats, sago and sago flour, shredded wheat, tapioca and tapioca flour, and yam flour.</i>		

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Tael.
Chairs, Vienna bent-wood	Dozen	0·800
Charcoal	Picul	0·030
Cheese	Value	5 per cent.
Chestnuts	Picul	0·180
China-root, whole, sliced, or in cubes	"	0·650
China-ware, coarse and fine	Value	5 per cent.
Chloride of lime	Picul	0·300
Chocolate, sweetened	Pound	0·013
Cigarettes, 1st quality (value exceeding 4·50 taels per 1,000)	Thousand	0·500
Cigarettes, 2nd quality (value not exceeding 4·50 taels per 1,000)	"	0·090
Cigars	"	0·500
Cinnabar	Picul	3·750
Cinnamon	"	4·000
Clams, dried	"	0·550
Clocks, of all kinds	Value	5 per cent.
Cloves	Picul	0·630
" Mother	"	0·360
Coal—		
Asiatic	Ton	0·250
Other kinds	"	0·600
Asiatic, briquettes	"	0·500
Cochineal	Value	5 per cent.
Cockles—		
Dried	Picul	0·500
Fresh	"	0·050
Cocoa	"	3·600
Coffee	"	1·000
Coir canes—		
1 ft. long	"	0·200
5 "	Thousand	0·300
Coke—		
Asiatic	Ton	0·500
Other kinds	"	0·900
Compoy	Picul	2·000
Coral	Catty	1·110
Beads	"	0·750
Broken and refuse	"	0·550
Cordage, of all kinds	Value	5 per cent.
Cornelian beads	Picul	7·000
" stones, rough	Hundred	0·300
Corundum sand	Picul	0·195
Cotton piece-goods—		
Grey shirtings or sheetings, not exceeding 40 ins. wide and not exceeding 40 yds. long—		
(a.) Weight 7 lb. and under	Piece	0·030
(b.) " over 7 lb. and not over 9 lb.	"	0·080
(c.) " " 9 " " 11 "	"	0·110
(d.) " " 11 " "	"	0·120
Imitation native cotton cloth (hand-made), grey or bleached—		
(a.) Not exceeding 20 ins. wide and not exceeding 20 yds. long; weight 3 lb. and under	"	0·027
(b.) Exceeding 20 ins. wide	Value	5 per cent.
White shirtings, white irishes, white sheetings, white brocades, and white striped or spotted shirtings; not exceeding 37 ins. wide and not exceeding 43 yds. long	Piece	0·135

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Cotton piece-goods— <i>contd.</i>		
Drills, grey or white: not exceeding 31 ins. wide and not exceeding 40 yds. long—		
(a.) Weight 12½ lb. and under	Piece	0·100
(b.) " over 12½ lb.	"	0·125
Jeans, grey or white—		
(a.) Not exceeding 31 ins. wide and not exceeding 30 yds. long	"	0·090
(b.) Not exceeding 31 ins. wide and not exceeding 40 yds. long	"	0·120
T-cloths, grey or white—		
(a.) Not exceeding 34 ins. wide and not exceeding 24 yds. long	"	0·070
(b.) Not exceeding 34 ins. wide and exceeding 24 yds., but not exceeding 40 yds. long	"	0·135
(c.) Exceeding 34 ins., but not exceeding 37 ins. wide, and not exceeding 24 yds. long	"	0·080
Crimp cloth and crape, plain—		
(a.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	"	0·027
(b.) Not exceeding 30 ins. wide, exceeding 6 yds., but not exceeding 10 yds. long	"	0·035
(c.) Not exceeding 30 ins. wide, but exceeding 10 yds. long	Yard	0·003½
White muslins, white lawns, and white cambrics, not exceeding 46 ins. wide and not exceeding 12 yds. long	Piece	0·032
Mosquito netting, white or coloured, not exceeding 90 ins. wide	Yard	0·010
Lenos and balsarines, white, dyed, or printed, not exceeding 31 ins. wide and not exceeding 30 yards long	Piece	0·000
Leno brocades and balsarine brocades, dyed	Value	5 per cent.
Prints—		
(a.) Printed cambrics, lawns, or muslins, not exceeding 46 ins. wide and not exceeding 12 yds. long	Piece	0·037
(b.) Printed chintzes, printed crapes, printed drills, printed furnitures, printed shirtings, printed T-cloths (including those goods known as blue and white printed T-cloths), printed twills; but not including goods mentioned in (c) and (d)—		
(1.) Not exceeding 30 ins. wide	Value	5 per cent.
(2.) Exceeding 30 ins. but not exceeding 31 ins. wide and not exceeding 30 yds. long	Piece	0·080
(c.) Printed crimp cloth—		
(1.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	"	0·027
(2.) Not exceeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yds. long	"	0·035
(3.) Not exceeding 30 ins. wide but exceeding 10 yds. long	Yard	0·003½
(d.) Printed lenos and balsarines, not exceeding 31 ins. wide and not exceeding 30 yds. long	Piece	0·000
(e.) Printed sheetings, not exceeding 36 ins. wide and not exceeding 43 yds. long	"	0·185
(f.) Printed Turkey reds, of all kinds, not exceeding 31 ins. wide and not exceeding 25 yds. long	"	0·100

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
Cotton piece-goods— <i>contd.</i>	Per—	Hk. Taels.
Prints— <i>contd.</i>		
(g.) Printed sateens, printed satinets, printed reps, printed cotton lastings, including all cotton piece-goods which are both dyed and printed, except those specified in (f) and (h), and including any special finish, such as mercerised finish, schreiner finish, gassed finish, silk finish, or electric finish, not exceeding 32 ins. wide and not exceeding 32 yds. long	Piece	0.250
(h.) Duplex prints or reversible cretonnes (not including those goods known as blue and white printed T-cloths)	Value	5 per cent.
Dyed cottons—		
(a.) Dyed plain cottons, <i>i.e.</i> , without woven or embossed figures (including plain Italians, lastings, reps, and ribs, and all other dyed plain cottons not otherwise enumerated, and including any special finish, such as mercerised finish, schreiner finish, gassed finish, silk finish, or electric finish), not exceeding 36 ins. wide and not exceeding 33 yds. long	Piece	0.240
(b.) Dyed figured cottons, <i>i.e.</i> , with woven or embossed figures (including figured Italians and lastings, figured reps, and figured ribs, and all other dyed figured cottons not otherwise enumerated, and including any special finish, such as mercerised finish, schreiner finish, gassed finish, silk finish, or electric finish), not exceeding 36 ins. wide and not exceeding 33 yds. long	"	0.150
(c.) Dyed crimp cloth—		
(1.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	"	0.027
(2.) Not exceeding 30 ins. wide, exceeding 6 yds. but not exceeding 10 yds. long	"	0.035
(3.) Not exceeding 30 ins. wide, but exceeding 10 yds. long	Yard	0.003½
(d.) Dyed drills, not exceeding 31 ins. wide and not exceeding 43 yards long	Piece	0.170
(e.) Dyed lenos and balsarines, not exceeding 31 ins. wide and not exceeding 30 yds. long	"	0.090
(f.) Dyed leno brocades	Value	5 per cent.
(g.) Dyed muslins, lawns, and cambrics, not exceeding 46 ins. wide and not exceeding 12 yds. long	Piece	0.087
(h.) Dyed shirtings and sheetings, not exceeding 36 ins. wide and not exceeding 43 yds. long	"	0.150
(i.) Hong Kong-dyed shirtings, not exceeding 36 ins. wide and not exceeding 20 yds. long	"	0.100
(j.) Dyed cotton cuts, not exceeding 36 ins. wide and not exceeding 5½ yds. long (N.B.—The <i>pro rata</i> rule does not apply.)	"	0.022½
(k.) Dyed T-cloths (including dyed alpacianos), dyed real and imitation Turkey redds of all kinds, not exceeding 32 ins. wide and not exceeding 25 yds. long—		
(1.) Weight 3½ lb. and under	"	0.080
(2.) " over 3½ lb.	"	0.100

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Cotton piece-goods— <i>contd.</i>		
Flannelettes and cotton Spanish stripes—		
(a.) Cotton flannel, Canton flannel, swans-downs, flannelettes, and raised cotton cloths of all kinds, plain, dyed, and printed—		
(1.) Not exceeding 36 ins. wide and not exceeding 15 yds. long	Piece	0·065
(2.) Not exceeding 36 ins. wide, exceeding 15 yds. but not exceeding 30 yds. long	"	0·130
(b.) Dyed cotton Spanish stripes—		
(1.) Not exceeding 32 inches wide and not exceeding 20 yds. long	"	0·085
(2.) Exceeding 32 ins. but not exceeding 64 ins. wide, and not exceeding 20 yds. long	"	0·170
Coloured woven cottons, <i>i.e.</i> , dyed in the yarn, except crimp cloth	Value	5 per cent.
Crimp cloth—		
(a.) Not exceeding 30 ins. wide and not exceeding 6 yds. long	Piece	0·027
(b.) Not exceeding 30 ins. wide and exceeding 6 yds. but not exceeding 10 yds. long	"	0·035
(c.) Not exceeding 30 ins. wide but exceeding 10 yds. long	Yard	0·003½
Velvets and velveteens, velvet cords, and fustians—		
(a.) Velvets and velveteens, plain—		
(1.) Not exceeding 18 ins. wide	"	0·008
(2.) Exceeding 18 ins. but not exceeding 22 ins. wide	"	0·007
(3.) Exceeding 22 ins. but not exceeding 26 ins. wide	"	0·008
(b.) Velvets and velveteens, printed or embossed, not exceeding 30 ins. wide	"	0·015
(c.) Dyed velvet cords, dyed velveteen cords, dyed corduroys, dyed fustians of any description, not exceeding 30 ins. wide	"	0·015
Blankets, cotton, plain, printed, or jacquard	Piece	0·030
Handkerchiefs, cotton—		
(a.) Plain, dyed, or printed, not embroidered, hem-stitched, or initialled, not exceeding 1 yd. square	Dozen	0·020
(b.) All other handkerchiefs	Value	5 per cent.
Singlets or drawers, cotton	Dozen	0·125
Socks, cotton (including Lisle thread)—		
1st quality (<i>i.e.</i> , valued at 1 tael or over per dozen pairs)	Dozen pairs	0·075
2nd quality (<i>i.e.</i> , valued at less than 1 tael per dozen pairs)	"	0·032
Towels, cotton—		
(a.) Honeycomb or huckaback, plain or printed (dimensions exclusive of fringe)—		
(1.) Not exceeding 18 inches wide and not exceeding 40 ins. long	Dozen	0·020
(2.) Exceeding 18 ins. wide and not exceeding 50 ins. long	"	0·030
(b.) All other towels	Value	5 per cent.
Cottons, unclassified	"	
Cotton, raw	Piece	0·000

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.
	Per— Hk. Taels.
Cotton thread—	
Ball thread, dyed or undyed	Picul 3.000
On spools, 50 yds.	Gross 0.040
" 100 "	" 0.080
" 200 "	" 0.160
Cotton yarn—	
Grey or bleached	Picul 0.950
Dyed	Value 5 per cent.
Gassed	" "
Mercerised	" "
Woolen or berlinette	Picul 2.500
Cow bezoar, Indian	Value 5 per cent.
Crabs' flesh	Picul 0.600
Crocodile (including armadillo) scales	" 2.725
Currants	" 0.500
Cutch	" 0.800
Cuttle-fish	" 0.667
Dyes, colours, and paints—	
Aniline	Value 5 per cent.
Blue, Paris	Picul 1.500
" Prussian	" 1.500
Bronze powder	" 2.200
Carthamin	Value 5 per cent.
Chrome yellow	" "
Cinnabar	Picul 2.750
Gamboge	" 2.700
Green—	
Emerald	" 1.000
Schweinfurt, or imitation	" 1.000
Indigo—	
Dried, artificial or natural	Value 5 per cent.
Liquid, artificial	Picul 2.025
" natural	" 0.215
Paste, artificial	" 2.025
Lead—	
Red, dry or mixed with oil	" 0.450
White	" 0.450
Yellow	" 0.450
Logwood extract	" 0.600
Ochre	" 0.600
Smalt	" 1.600
Ultramarine	" 0.500
Vermilion	" 4.000
" imitation	Value 5 per cent.
White zinc	" "
Paints, unclassified	" "
Elephants' teeth (other than tusks) and jaws,	Picul 3.000
whole or parts	
Elephants' tusks, whole or parts	Catty 0.170
Emery cloth and sandpaper (sheets not exceeding	Ream 0.250
144 square ins.)	
Emery powder	Value 5 per cent.
Enamelled ironware—	
Mugs, cups, basins, and bowls, 9 ins. or under	Dozen 0.050
in diameter, decorated or undecorated	
Basins and bowls, over 9 ins. in diameter, agate,	" 0.000
blue and white, grey, mottled, undecorated	

Aug. 20, 1903.]

GREAT BRITAIN, &c., AND CHINA.

[No. 27.]

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.
Enamelled ironware—<i>contd.</i>	
Basins and bowls, over 9 ins. in diameter, decorated (with gold)	Dozen 0.175
Basins and bowls, over 9 ins. in diameter, decorated (without gold)	" 0.125
Enamelware, unclassified	Value 5 per cent.
Fans—	
Palm-leaf, coarse	Thousand 0.230
" fine	" 0.450
" fancy	" 1.000
Paper or cotton, of all kinds	" 1.400
Silk	Value 5 per cent.
Feathers—	
Kingfisher, part skins (<i>i.e.</i> , wings, tails, or backs)	Hundred 0.250
" whole skins	" 0.600
Peacock	Value 5 per cent.
Files. See Tools.	
Fireclay	Picul 0.060
Firewood	" 0.010
Fish—	
Cuttle	" 0.667
Dried or smoked, in bulk (including stock-fish but not including cuttle-fish)	" 0.315
Fresh	" 0.137
Maws	" 4.250
Salt	" 0.160
Skins	" 0.600
Stock	" 0.315
Flints	" 0.040
Flour. See Cereals.	
Flour, arrowroot, potato, sago, tapioca, yam	Value 5 per cent.
Fungus or agaric	Picul 1.715
" white	Catty 0.250
Galangal	Picul 0.170
Gambier	" 0.300
" false, or cuano (yam-root dye-stuff)	" 0.150
Gamboge	" 2.700
Gasolene or stove naphtha	10 gal. drum. 0.160
Ginseng—	
Crude, 1st quality (value exceeding 2 taels per catty)	Catty 0.230
Crude, 2nd quality (value not exceeding 2 taels per catty)	" 0.072
Clarified or cleaned, 1st quality (value exceeding 11 taels per catty)	" 1.100
Clarified or cleaned, 2nd quality (value exceeding 6 taels but not exceeding 11 taels per catty)	" 0.375
Clarified or cleaned, 3rd quality (value exceeding 2 taels but not exceeding 6 taels per catty)	" 0.230
Clarified or cleaned, 4th quality (value not exceeding 2 taels per catty)	" 0.060
Glass—	
Plate, silvered	Square foot 0.025
" unsilvered	Value 5 per cent.
Powder. See Match-making materials.	
Window, coloured, stained, ground, or obscured	Box of 100 sq. ft. 0.350

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.
<i>Glass—contd.</i>	
Window, common, not stained, coloured, or otherwise obscured	Box of 100 sq. ft. 0·170
Glue	Picul 0·830
Gold thread, imitation. See Thread.	
Ground-nuts	" 0·150
Gum—	
Arabic	" 1·000
Benjamin	" 0·600
" oil of	Value 5 per cent.
Dragon's blood	Picul 4·000
Myrrh	" 0·465
Olibanum	" 0·450
Resin	" 0·187
Gutta-percha. See India-rubber.	
Hair—	
Horse	" 1·400
" tails	" 2·500
Hams	Value 5 per cent.
Handkerchiefs. See Cotton piece-goods.	
Hartall or orpiment	Picul 0·450
Hemp	Value 5 per cent.
Hessians or butlaps, all weights	1,000 yards 2·850
Hide poison or specific	Value 5 per cent.
Hides, buffalo and cow	Picul 0·800
Hollow-ware, cast: coated or tinned	" 0·500
Hoofs, animal....	" 0·125
Hops	Value 5 per cent.
Horns—	
Buffalo and cow	Picul 0·350
Deer	Value 5 per cent.
Rhinoceros	Catty 2·400
Hosiery. See Cotton piece-goods (socks).	
India-rubber and gutta-percha articles (other than boots and shoes)	Value 5 per cent.
India-rubber and gutta-percha, crude	Picul 3·140
" boots	Pair 0·080
" shoes	" 0·020
" old (fit only for re-manufacture)	Picul 0·250
Indigo—	
Dried, artificial or natural	Value 5 per cent.
Liquid, artificial	Picul 2·025
" natural	" 0·215
Paste, artificial	" 2·025
Ink, printing	Value 5 per cent.
Isinglass (fish glue)	Picul 4·000
" vegetable	" 1·750
Jams and Jellies—	
1-lb. tins, bottles, or jars	Dozen 0·080
2-lb. " " "	" 0·118
Joss sticks	Picul 0·640
Kerosene oil cans and cases, empty	2 cans in 1 case.... 0·005

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Tael.
Lace open-work or insertion-work of cotton, machine-made—		
(a.) Not exceeding 1 in. wide, outside measurement	12 dozen yards	0·080
(b.) Exceeding 1 in. but not exceeding 2 ins. wide, outside measurement	"	0·100
(c.) Exceeding 2 ins. but not exceeding 3 ins. wide, outside measurement	"	0·166
(d.) Exceeding 3 ins. wide, outside measurement	"	0·216
Lace open-work or insertion-work of any fibrous material except silk or cotton or imitation gold or silver thread—		
(a.) Machine made	Catty	0·500
(b.) Hand made (including cotton)	"	2·400
Lacquerware	Value	5 per cent.
Lamps and accessories	"	"
Lampwick	Picul	2·000
Lard, pure or compound	"	0·000
Lead, red, white, yellow, dry or mixed with oil	"	0·450
Leather—		
Belting	Value	5 per cent.
Calf	Picul	7·000
Coloured	"	7·000
Cow	"	2·600
Harness (not including enamelled or pig-skin)	"	3·000
Kid	"	7·000
Sole	"	2·500
Patent	"	7·000
All other kinds	Value	5 per cent.
Lichees, dried	Picul	0·450
Lily flowers, dried	"	0·325
" seed (i.e., lotus-nuts without husks)	"	1·000
Lime, chloride of	"	0·300
Linen	Value	5 per cent.
Liqueurs. See Wines, &c.		
Liquorice	Picul	0·500
Logwood extract	"	0·600
Lotus-nuts (i.e., lily seeds with husks)	"	0·400
Lucraban seed	"	0·350
Lung-ngan pulp	"	0·550
Lung-ngans, dried	"	0·450
Macaroni and vermicelli, and similar pastes	"	0·325
Mace	Value	5 per cent.
Machines, sewing, hand or foot	"	"
Madeira. See Wines, &c. (Vins de liqueur.)		
Malaga. See Wines, &c. (Vins de liqueur.)		
Malt	Picul	0·370
Mangrove bark	"	0·073
Manure, chemical	Value	5 per cent.
*Margarine, in tins, jars, or kegs	Picul	1·400
Marasala. See Wines, &c. (Vins de liqueur.)		
Matches—		
Rainbow or brilliant	50-gr. boxes	1·300
Wax vestas, not exceeding 100 in a box...	10-gr. "	1·600

* In 1904, the specific duty leviable on margarine was abolished, and an *ad valorem* rate of 5 per cent. substituted therefor. "Board of Trade Journal," 16th June, 1904.

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Matches—<i>contd.</i>		
Wood, safety or other, large—boxes not exceeding 2½ ins. by 1½ ins. by ½ in.	50-gr. boxes	0.680
Wood, safety or other, small—boxes not exceeding 2 ins. by 1½ ins. by ½ in.	100-gr. "	0.920
Wood, safety or other—boxes exceeding above sizes	Value	5 per cent.
Match-making materials—		
Glass powder	Picul	0.110
Phosphorus	"	4.125
Splints	"	0.088
Wax, paraffin	"	0.500
Wood shavings	"	0.113
Mats—		
Coir (door)....	Dosen	1.000
Formosa, grass (bed)	Each	0.060
Rush	Hundred	0.600
Straw	"	0.225
Tatami	Each	0.045
Matting—		
Coir, not exceeding 36 ins. wide	Roll of 100 yds.	2.750
Straw " 36 "	Roll of 40 yds.	0.250
Meats, in bulk—		
Beef, corned, pickled, in barrels	Picul	0.375
Dry salted meat, in boxes and barrels	"	0.475
" sausages	"	0.808
Ham and breakfast bacon, in boxes or barrels	Value	5 per cent.
Lard, pure or compound	Picul	0.600
Melon seeds	"	0.250
Metals—		
Anti-friction	Value	5 per cent.
Antimony	Picul	0.700
Brass and yellow metal—		
Bars and rods	"	1.150
Bolts and nuts and accessories....	"	1.150
Foil	"	1.675
Nails	"	1.150
Screws	Value	5 per cent.
Sheets, plates, and ingots	Picul	1.150
Tubes	"	1.150
Wire	"	1.150
Copper—		
Bars and rods	"	1.300
Bolts, nuts, rivets, and washers	Value	5 per cent.
Ingots	Picul	1.175
Nails	"	1.300
Sheets and plates	"	1.300
Slabs	"	1.175
Tacks	Value	5 per cent.
Tubes	"	5 per cent.
Wire	Picul	1.300
Dross—		
Iron	"	0.160
" and tin	"	0.300
Tin	"	0.500
German silver—		
Sheets	"	2.200
Wire	"	1.500

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Metals—<i>contd.</i>		
Iron and mild steel, new—		
Anchors, and parts thereof; mill iron; mill and ships' cranks; and forgings for vessels, steam engines, and locomotives (weighing each 25 lb. or over)	Picul	0 265
Angles	"	0 140
Anvils, and parts of	"	0 400
Bar	"	0 140
Bolts and nuts	Value	5 per cent.
Castings, rough	Picul	0 140
Chains, and parts of	"	0 265
Cobbles and wire shorts	"	0 180
Hoops	"	0 140
Kentledge	"	0 075
Nail-rod	"	0 140
Nails—		
Wire	"	0 200
Other kinds	Value	5 per cent.
Pig	Picul	0 075
Pipes and tubes	Value	5 per cent.
Plate cuttings	Picul	0 110
Plates and sheets	"	0 140
Rails	"	0 125
Rivets	"	0 250
Screws	Value	5 per cent.
Sheets and plates	Picul	0 140
Tacks, blue, of all sizes	"	0 400
Wire	"	0 250
Iron, galvanized—		
Bolts and nuts	Value	5 per cent.
Cobbles and wire shorts	Picul	0 180
Sheets—		
Corrugated	"	0 275
Plain	"	0 275
Tubes	Value	5 per cent.
Wire	Picul	0 250
" shorts	"	0 180
Iron, old and scrap, of any description (fit only for re-manufacture)	"	0 090
Lead—		
In pigs	"	0 285
In sheets	"	0 330
Pipes	"	0 375
Nickel, unmanufactured	"	2 600
Quicksilver	"	4 280
Spelter	"	0 375
Steel—		
Bamboo	"	0 250
Bars	"	0 250
Plates and sheets	"	0 250
Tool and cast	"	0 750
Wire and wire rope	"	0 750
Steel, mild. See Iron.		
Tin compound	Value	5 per cent.
" foil	"	"
" sheets and pipes	Picul	1 725
" slabs	"	1 500
" tacks, blue, of all sizes	"	0 400

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Metals—contd.		
Tinned plates—		
Decorated	Picul	0·350
Plain	"	0·290
White metal—		
Sheets	"	2·200
Wire	"	1·500
Yellow metal. See Brass.		
Zinc boiler plates	"	0·600
" powder	"	0·400
" sheets, including perforated	"	0·520
Milk, condensed, in tins	Case of 4 dozen 1-lb. tins	0·250
Mineral waters	12 bottles or 24 ½-bottles	0·050
Mirrors	Value	5 per cent.
Morphia, in all forms	Ounce	3·000
Moulding	1,000 feet	1·050
Mushrooms	Picul	1·800
Musical boxes	Value	5 per cent.
Musk	Catty	9·000
Mussels, dried	Picul	0·400
Needles—		
No. 7/0	100 mille	1·800
No. 8/0	"	1·500
Assorted, not including 7/0	"	0·985
Nutgalls	Picul	0·870
Nutmegs	"	1·500
Oakum	"	0·500
Oil—		
Castor, lubricating	"	0·510
" medicinal	"	1·000
Clove	Catty	0·150
Cocoa-nut	Picul	0·400
Colza	American gall.	0·050
Engine—		
(a.) Wholly or partly of mineral origin	" "	0·015
(b.) All other kinds (except castor)	" "	0·025
Ginger	Picul	6·750
Kerosene	Case of 10 American galls.	0·070
In bulk	10 American galls.	0·050
In cans and cases, empty	2 cans in 1 case	0·005
Olive	Imperial gall.	0·063
Sandalwood	Catty	0·240
Wood	Picul	0·500
Olives, fresh, pickled, or salted	"	0·180
Opium	Picul { Duty Li-kin	30·000 80·000
" husk	Catty	0·063
Orange peel	Picul	0·800
Oysters, dried	Value	5 per cent.
Packing, asbestos. See Asbestos.		
Packing, engine and boiler, all other kinds	"	5 per cent.
Paints. See Dyes, Colours, and Paints.		

Name of Article.	Tariff Unit and Duty.	
		Per— Hk. Taels.
*Paper—		
Cigarette, not exceeding 2 ins. by 4 ins.	100,000 leaves	0·125
Printing, calendered ^{and} sized	Picul	0·700
" uncalendered or unsized	"	0·300
Writing or foolscap	"	1·200
All other kinds	Value	5 per cent.
Peel, orange	Picul	0·800
Pepper—		
Black	"	0·760
White	"	1·330
Perfumery	Value	5 per cent.
Phosphorus	Picul	4·125
Pitch	"	0·125
Plushes and velvets—		
(a.) Plushes and velvets of pure silk	Catty	0·650
(b.) Silk seal (with cotton back)	"	0·200
(c.) Plushes and velvets of silk mixed with other fibrous materials (with cotton back)	"	0·150
(d.) Plushes, all cotton (including mercerised)....	"	0·110
(e.) Velvets, cotton. See Cotton piece-goods.		
Pork rind	Picul	0·500
Prawns, dried. See also Shrimps	"	1·000
Preserved fruits, in glass bottles, jars, cardboard or wooden boxes, including weight of immediate package	"	0·650
Purses, leather (not including silver or gold mounted)	Gross	0·500
Putchuck	Picul	0·715
Raisins and currants	"	0·500
Rattan chairs	Value	5 per cent.
" core	Picul	0·225
" skin	"	0·750
Rattans—		
Split....	"	0·325
Whole	"	0·225
Resin	Picul	0·167
*Ribbons, silk, silk and cotton, silk and other fibres, with or without imitation gold or silver thread	Catty	0·550
Rope	Value	5 per cent.
Rose maloes	Picul	1·000
Safflower	"	0·525
Saké, in barrels	"	0·400
" in bottles	12 bottles or 24 ½-bottles	0·110
Saltpetre and nitrate of soda	Picul	0·325
Sand, red	"	0·045
Sandalwood	"	0·400
Sapanwood	"	0·112
Seahorse teeth	Value	5 per cent.

* In 1904, it was arranged that printing and writing paper should be dutiable, at importers' option, either at the specific rates contained in the Tariff, or at 5 per cent. *ad valorem*. The specific duty leviable on Ribbons was also abolished, and an *ad valorem* rate of 5 per cent. substituted therefor. "Board of Trade Journal," 16th June, 1904.

[Chinese Import Tariff.]

Name of Article.		Tariff Unit and Duty.	
Seaweed—		Per—	Hk. Tael.
Cut	Picul	0.150	
Long	"	0.100	
Prepared	"	1.000	
Seed—			
Lily (i.e., lotus-nuts without husks)	"	1.000	
Lotus-nuts (i.e., lily seeds with husks)	"	0.400	
Lucraban	"	0.350	
Melon	"	0.250	
Pine, or fir-nuts	"	0.200	
Sesamum	"	0.200	
Sharks' fins—			
Black	"	1.608	
Clarified or prepared	"	6.000	
White	"	4.600	
Shellac	"	2.500	
Shells—			
Mother-of-pearl	"	0.700	
Other kinds.....	Value	5 per cent.	
Sherry. See Wines, &c. (Vins de liqueur).			
Shoes and boots, india-rubber, for Chinese—			
Boots	Pair	0.080	
Shoes	"	0.020	
Shrimps, dried. See also Prawns	Picul	0.630	
*Silk, piece-goods, all silk (including crape)—			
(a.) Plain	Catty	0.325	
(b.) Brocaded or otherwise figured	"	0.700	
*Silk piece-goods, mixtures (i.e., silk and cotton, or silk and other materials), including crape, but not including mixtures with real or imitation gold or silver thread—			
(a.) Plain	"	0.250	
(b.) Brocaded or otherwise figured	"	0.500	
Silver thread, imitation. See Thread.			
Sinews—			
Buffalo and cow	Picul	0.550	
Deer.....	"	1.050	
Singlets or drawers—			
Cotton	Dozen	0.125	
Mixture	Value	5 per cent.	
Skins—			
Fish	Picul	0.600	
Sharks	Value	5 per cent.	
Snail	Picul	1.000	
Snuff	Value	5 per cent.	
Soap, household and laundry (including blue mottled), in bulk, bars, and doublets weighing not less than ½ lb. each		Picul	0.240
Soap, toilet and fancy		Value	5 per cent.
Socks, cotton (including Lisle thread)—			
1st quality (i.e., valued at 1 tael or over per dozen pairs)	Dozen pairs	0.075	
2nd quality (i.e., valued at less than 1 tael per dozen pairs)	"	0.032	
Soda—			
Ash	Picul	0.150	
Bicarbonate	"	0.150	

* In 1904, the specific duties leviable on Silk piece-goods were abolished, and an *ad valorem* rate of 5 per cent. substituted therefor. "Board of Trade Journal," 16th June, 1904.

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Soda—contd.		
Caustic	Picul	0·235
Crystals	"	0·120
" concentrated	"	0·140
Soy	"	0·250
Spirits. See Wines, &c.		
Spirits of wine. See Wines, &c.		
Sticklac	"	0·700
Stout. See Wines, &c.		
Sugar—		
Brown, up to No. 10 Dutch standard	"	0·190
Candy	"	0·300
White, No. 11 Dutch standard and over, including cube and refined	"	0·240
Sulphur and brimstone—		
Crude	"	0·150
Refined	"	0·250
Sulphuric acid	"	0·187
Sunshades. See Umbrellas.		
Telescopes, binoculars, and mirrors....	Value	5 per cent.
Thread, cotton—		
Balls, dyed or undyed	Picul	3·000
Spools, 50 yds.	Gross	0·040
Thread—		
Gold and silver, imitation, on silk	Value	5 per cent.
" real	"	"
" imitation, on cotton	Catty	0·125
Silver	"	0·090
Tiles, 6 ins. square	Hundred	0·600
Timber—		
Beams, hard-wood....	Cubic foot	0·020
" soft wood, including Oregon pine and Californian red-wood, on a thickness of 1 in.	1,000 sup. ft.	1·150
Beams, teak-wood	Cubic foot	0·081
Laths	Thousand	0·210
Masts and spars, hard-wood	Value	5 per cent.
" soft-wood	"	"
Piles and piling, including Oregon pine and Californian red-wood, on a thickness of 1 in.	1,000 sup. ft.	1·150
Planks, hard-wood....	Cubic foot	0·020
" and flooring, soft-wood, including Oregon pine and Californian red-wood, and allowing 10 per cent. of each shipment to be tongued and grooved, on a thickness of 1 in.	1,000 sup. ft.	1·150
Planks and flooring, soft-wood, tongued and grooved, in excess of above 10 per cent.	Value	5 per cent.
Planks, teak-wood	Cubic foot	0·081
Railway sleepers	Value	5 per cent.
Teak-wood lumber, of all lengths and description	Cubic foot	0·081
Tinder	Picul	0·280
Tin-foil	Value	5 per cent.
Tobacco—		
Leaf....	Picul	0·800
Prepared, in bulk	"	0·950
" tins or packages under 5 lb. each....	Value	5 per cent.
Tools—		
Axes and hatchets....	Dosen	0·600

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.	
Tools—contd.	Per—	Hk. Taels.
Files, file blanks, rasps and floats, of all kinds—		
Not exceeding 4 ins. long	Dozen	0·040
Exceeding 4 ins. and not exceeding 9 ins. long	"	0·072
Exceeding 9 ins. and not exceeding 14 ins. long	"	0·168
Exceeding 14 ins. long	"	0·224
Tortoiseshell	Catty	0·450
Trimmings—		
Bead	Value	5 per cent.
Of cotton, pure or mixed with other materials, but not silk	"	"
Of cotton, mixed with silk and imitation gold or silver thread	"	"
Turmeric	Picul	0·185
Turpentine	Gallon	0·036
Twine	Value	5 per cent.
Ultramarine	Picul	0·500
Umbrella frames	Dozen	0·080
Umbrellas, parasols and sunshades—		
With handles wholly or partly of precious metals, ivory, mother-of-pearl, tortoise-shell, agate, &c., or jewelled	Value	5 per cent.
With all other handles, all cotton	Each	0·020
" " mixtures, not silk	"	0·080
" " silk and silk mixtures	"	0·080
Varnish, crude lacquer, gum lacquer, or oil lacquer	Value	5 per cent.
Vaseline	"	"
Vegetables, dried and salted or pickled, in bulk	"	"
Vermicelli	Picul	0·325
Vermilion	"	4·000
Vermouth. See Wines, &c.		
Watches, of all kinds	Value	5 per cent.
Waters, aerated and mineral	12 bottles or 24 ½-bottles	0·050
Wax—		
Bees, yellow	Picul	1·600
Japan	"	0·650
Paraffin	"	0·500
Sealing	Value	5 per cent.
White	"	"
Wines, &c.—		
Champagnes and all other sparkling wines, in bottles	Case of 12 bottles or 24 ½-bottles	0·650
Still wines, red or white, exclusively the produce of the natural fermentation of grapes—		
(a.) Having less than 14 degrees of alcohol		
(1.) In bottles	Case of 12 bottles or 24 ½-bottles	0·300
(2.) In bulk	Imperial gallon...	0·025
(b.) Having 14 degrees or more of alcohol; also vins de liqueur other than port—		
(1.) In bottles	Case of 12 bottles or 24 ½-bottles	0·500
(2.) In bulk	Imperial gallon...	0·150
Port wine—		
In bottles	Case of 12 bottles or 24 ½-bottles	0·700
In bulk	Imperial gallon...	0·175

Aug. 29, 1902.]

GREAT BRITAIN, &c., AND CHINA.

[No. 27.]

[Chinese Import Tariff.]

Name of Article.	Tariff Unit and Duty.
<i>Wines, &c.—contd.</i>	Per— Hk. Taels.
Vermouth and byrrh	Case of 12 litres 0·250
Saké—	
In barrels	Picul 0·400
In bottles....	Case of 12 bottles or 24 ½-bottles 0·110
Brandies and whiskies, in bulk	Imperial gallon.... 0·125
Brandy and cognac, in bottles	Case of 12 reputed quarts 0·500
Whisky, in bottles....	" 0·350
Other spirits (gin, rum, &c.)—	
In bottles	" 0·200
In bulk	Imperial gallon.... 0·000
Spirits of wine, in packages of any description	" 0·028
Ales, beers, cider, perry—	
In bottles	Case of 12 reputed quarts or 24 reputed pints 0·085
In casks	Imperial gallon.... 0·020
Porters and stouts—	
In bottles	Case of 12 reputed quarts or 24 reputed pints 0·100
In casks	Imperial gallon.... 0·025
Liqueurs	Value 5 per cent.
Wood—	
Camagon	Picul 0·090
Ebony	" 0·200
Fragrant	Value 5 per cent.
Garoo	Catty 0·100
Kranjee	Value 5 per cent.
Laka	Picul 0·125
Lignum-vite	Value 5 per cent.
Puru	Picul 0·075
Red	" 0·200
Rose....	" 0·200
Sandal	" 0·400
Sapan	" 0·112
Scented	Value 5 per cent.
Shavings, hinoki	Picul 1·000
Woollen and cotton mixtures—	
Flannel (woollen and cotton): not exceeding 33 ins. wide	Yard 0·015
Italian cloth, plain or figured, having warp entirely cotton and all one colour, and weft entirely wool and all one colour: not exceeding 33 ins. wide and not exceeding 32 yds. long	Piece 0·372
Poncho cloth: not exceeding 76 ins. wide	Yard 0·090
Spanish stripes (woollen and cotton): not exceeding 64 ins. wide	" 0·014
Union cloth: not exceeding 76 ins. wide	" 0·090
Woollen and cotton mixtures, unclassified, including alpacas, lustres, orleans, sicilians, &c.	Value 5 per cent.
Woollen manufactures—	
Blankets and rugs....	Pound 0·080
Broadcloth: not exceeding 76 ins. wide	Yard 0·047½
Bunting not exceeding 24 ins. wide and not exceeding 40 yds. long	Piece 0·200
Camlets, Dutch; not exceeding 33 ins. wide and not exceeding 61 yds. long	" 1·000

[Rules of Trade.]

Name of Article.	Tariff Unit and Duty.	
	Per—	Hk. Taels.
Woollen manufactures—<i>contd.</i>		
Camlets, English: not exceeding 31 ins. wide and not exceeding 61 yds. long	Piece	0·500
Flannel: not exceeding 33 ins. wide	Yard	0·015
Habit cloth: not exceeding 76 ins. wide	"	0·047½
Lastings, plain, figured or creped: not exceeding 31 ins. wide and not exceeding 32 yds. long	Piece	0·450
Llama braid	Picul	5·000
Long ells: not exceeding 31 ins. wide and not exceeding 25 yds. long	Piece	0·250
Medium cloth: not exceeding 76 ins. wide	Yard	0·047½
Russian cloth: not exceeding 76 ins. wide	"	0·047½
Spanish stripes: not exceeding 64 ins. wide	"	0·021
Woollens, unclassified	Value	5 per cent.
Woollen and worsted yarns and cords (not including Berlin wool)	Picul	5·300
Berlin wool	"	4·000
Woolen or berlinette	"	3·500
Worm tablets, in bottles, not exceeding 60 pieces	Dozen	0·085
Yarn—		
Asbestos	Picul	2·250
Coir	Value	5 per cent.
Cotton, bleached or grey	Picul	0·950
" dyed	Value	5 per cent.
" grey	Picul	0·950
" mercerised or gassed	Value	5 per cent.
" woolen or berlinette	Picul	3·500
Wool, Berlin	"	4·000
Woollen and worsted (not including Berlin wool)	"	5·300

NOTE.—If any of the articles enumerated in this Tariff are imported in dimensions exceeding those specified, the Duty is to be calculated in proportion to the measurements as defined.

RULES.

RULE I.

Imports unenumerated in this Tariff will pay Duty at the rate of 5 per cent. *ad valorem*; and the value upon which Duty is to be calculated shall be the market value of the goods in local currency. This market value when converted into Haikwan taels shall be considered to be 12 per cent. higher than the amount upon which Duty is to be calculated.

If the goods have been sold before presentation to the Customs of the application to pay Duty, the gross amount of the *bond fide* contract will be accepted as evidence of the market value. Should the goods have been sold on c. f. and i. terms, that is to say, without inclusion in the price of Duty and other charges, such c. f. and i. price shall be taken as the value for Duty-paying purposes without the deduction mentioned in the preceding paragraph.

If the goods have not been sold before presentation to the

[Rules of Trade.]

Customs of the application to pay Duty, and should a dispute arise between Customs and importer regarding the value or classification of goods, the case will be referred to a Board of Arbitration composed as follows:—

An official of the Customs;

A merchant selected by the Consul of the importer; and

A merchant, differing in nationality from the importer, selected by the Senior Consul.

Questions regarding procedure, &c., which may arise during the sittings of the Board shall be decided by the majority. The final finding of the majority of the Board, which must be announced within 15 days of the reference (not including holidays), will be binding upon both parties. Each of the two merchants on the Board will be entitled to a fee of ten Haikwan taels. Should the Board sustain the Customs valuation, or, in the event of not sustaining that valuation, should it decide that the goods have been undervalued by the importer to the extent of not less than $7\frac{1}{2}$ per cent., the importer will pay the fees; if otherwise, the fees will be paid by the Customs. Should the Board decide that the correct value of the goods is 20 per cent. (or more) higher than that upon which the importer originally claimed to pay Duty, the Customs authorities may retain possession of the goods until full Duty has been paid, and may levy an additional Duty equal to four times the Duty sought to be evaded.

In all cases invoices, when available, must be produced if required by the Customs.

RULE II.

The following will not be liable to Import Duty: Foreign rice, cereals, and flour; gold and silver, both bullion and coin; printed books, charts, maps, periodicals, and newspapers.

A freight or part freight of Duty-free commodities (gold and silver bullion and foreign coins excepted) will render the vessel carrying them, though no other cargo be on board, liable to tonnage dues.

Drawbacks will be issued for ships' stores and bunker coal when taken on board.

RULE III.

Except at the requisition of the Chinese Government, or for sale to Chinese duly authorized to purchase them, import trade is prohibited in all arms, ammunition, and munitions of war of every description. No permit to land them will be issued until the Customs have proof that the necessary authority has been given to the importer. Infraction of this rule will be punishable by confiscation of all the goods concerned. The import of salt is absolutely prohibited.

[Here follow the signatures of the Special Commissioners.*]

* Signed also by the Representative of the United States of America, 6th September, 1903; and by the Representatives of France, and of Sweden and Norway, 30th March, 1904.

No. 28.]

GREAT BRITAIN AND CHINA.

[Sept. 5, 1902.

[Commerce, &c.]

Shanghai.]

(No. 28.) *TREATY between Great Britain and China respecting Commercial Relations, &c.* Signed at Shanghai, 5th September, 1902.*

[Signed also in Chinese.]

[Ratifications exchanged at Peking, July 28, 1903.]

HIS Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of China, having resolved to enter into negotiations with a view to carrying out the provision contained in Article 11 of the Final Protocol signed at Peking on the 7th September, 1901 (No. 26), under which the Chinese Government agreed to negotiate the amendments deemed useful by the foreign Governments to the Treaties of Commerce and Navigation and other subjects concerning commercial relations with the object of facilitating them, have for that purpose named as their Plenipotentiaries, that is to say :

His Majesty the King of Great Britain and Ireland, His Majesty's Special Commissioner, Sir James Lyle Mackay, Knight Commander of the Most Eminent Order of the Indian Empire, a member of the Council of the Secretary of State for India, &c.

And His Majesty the Emperor of China, the Imperial Commissioners Lü Hai-huan, President of the Board of Public Works, &c., and Shêng Hsüan-huai, Junior Guardian of the Heir-Apparent, Senior Vice-President of the Board of Public Works, &c.

Who having communicated to each other their respective full powers, and found them to be in good and due form have agreed upon and concluded the following articles :—

ARTICLE I.

Drawback Certificates.

Delay having occurred in the past in the issue of Drawback Certificates owing to the fact that those documents have to be dealt with by the Superintendent of Customs at a distance from the Customs Office, it is now agreed that Drawback Certificates shall hereafter in all cases be issued by the Imperial Maritime Customs within three weeks of the presentation to the Customs of the papers entitling the applicant to receive such Drawback Certificates.

These Certificates shall be valid tender to the Customs authorities in payment of any duty upon goods imported or exported (transit dues excepted), or shall, in the case of Drawbacks on foreign goods re-exported abroad within three years from the date of importation, be payable in cash without deduction by the Customs Bank at the place where the import duty was paid.

But if, in connection with any application for a Drawback

* Parliamentary Paper, Treaty Series, No. 17 (1902).

Sept. 5, 1902.]

GREAT BRITAIN AND CHINA.

[No. 28.]

Shanghai.

[Commerce, &c.]

Certificate, the Customs authorities discover an attempt to defraud the revenue, the applicant shall be liable to a fine not exceeding five times the amount of the duty whereof he attempted to defraud the Customs, or to a confiscation of the goods.

ARTICLE II.

*National Coinage.**

China agrees to take the necessary steps to provide for a uniform national coinage which shall be legal tender in payment of all duties, taxes and other obligations throughout the Empire by British as well as Chinese subjects.

ARTICLE III.

Duties and Li-kin on Goods carried by Junks from Hong Kong to Treaty Ports in the Canton Province.

China agrees that the duties and *li-kin* combined levied on goods carried by junks from Hong Kong to the Treaty Ports in the Canton Province and *vice versa*, shall together not be less than the duties charged by the Imperial Maritime Customs on similar goods carried by steamer.

ARTICLE IV..

Chinese Investments in non-Chinese Enterprises and Companies.

Whereas questions have arisen in the past concerning the right of Chinese subjects to invest money in non-Chinese enterprises and companies, and whereas it is a matter of common knowledge that large sums of Chinese capital are so invested, China hereby agrees to recognise the legality of all such investments past, present, and future.

Joint-Stock Companies.

It being, moreover, of the utmost importance that all shareholders in a Joint-Stock Company should stand on a footing of perfect equality as far as mutual obligations are concerned, China further agrees that Chinese subjects who have or may become shareholders in any British Joint-Stock Company shall be held to have accepted, by the very act of becoming shareholders, the Charter of Incorporation or Memorandum and Articles of Association of such Company and regulations framed thereunder as interpreted by British Courts, and that Chinese Courts shall enforce compliance therewith by such Chinese shareholders, if a suit to that effect be entered, provided always that their liability shall not be other or greater than that of British shareholders in the same Company.

Similarly the British Government agree that British subjects investing in Chinese Companies shall be under the same obligations as the Chinese shareholders in such Companies.

* See Annex A.

The foregoing shall not apply to cases which have already been before the Courts and been dismissed.

ARTICLE V.

Removal of Obstructions in the Canton River.

The Chinese Government undertake to remove within the next two years the artificial obstructions to navigation in the Canton River. The Chinese Government also agree to improve the accommodation for shipping in the harbour of Canton and to take the necessary steps to maintain that improvement, such work to be carried out by the Imperial Maritime Customs, and the cost thereof to be defrayed by a tax on goods landed and shipped by British and Chinese alike according to a scale to be arranged between the merchants and Customs.

Navigation of the Upper Yang-tze.

The Chinese Government are aware of the desirability of improving the navigability by steamer of the waterway between Ichang and Chungking, but are also fully aware that such improvement might involve heavy expense and would affect the interests of the population of the Provinces of Szechuen, Hunan, and Hupeh. It is, therefore, mutually agreed that until improvements can be carried out steam-ship owners shall be allowed, subject to approval by the Imperial Maritime Customs, to erect, at their own expense, appliances for hauling through the rapids. Such appliances shall be at the disposal of all vessels, both steamers and junks, subject to regulations to be drawn up by the Imperial Maritime Customs. These appliances shall not obstruct the waterway or interfere with the free passage of junks. Signal stations and channel marks, where and when necessary, shall be erected by the Imperial Maritime Customs. Should any practical scheme be presented for improving the waterway and assisting navigation without injury to the local population or cost to the Chinese Government, it shall be considered by the latter in a friendly spirit.

ARTICLE VI.

Facilities for Bonding, and for Repacking Merchandise in Bond, in the Open Ports. Bonded Warehouses.

The Chinese Government agree to make arrangements to give increased facilities at the open ports for bonding and for repacking merchandise in bond, and, on official representation being made by the British authorities, to grant the privileges of a bonded warehouse to any warehouse which it is established to the satisfaction of the Customs authorities affords the necessary security to the revenue.

Such warehouses will be subject to regulations, including a scale of fees according to commodities, distance from custom:

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house and hours of working, to be drawn up by the Customs authorities who will meet the convenience of merchants so far as is compatible with the protection of revenue.

ARTICLE VII.

Protection of Trade Marks.

Inasmuch as the British Government afford protection to Chinese trade-marks against infringement, imitation, or colourable imitation by British subjects, the Chinese Government undertake to afford protection to British trade-marks against infringement, imitation, or colourable imitation by Chinese subjects.

The Chinese Government further undertake that the Superintendents of Northern and of Southern Trade shall establish offices within their respective jurisdictions under control of the Imperial Maritime Customs where foreign trade-marks may be registered on payment of a reasonable fee.

[For Notes exchanged between Great Britain and Foreign Powers respecting the reciprocal Protection of Trade Marks in China. See Part III.]

ARTICLE VIII.*

PREAMBLE.

Abolition of Li-kin and other Dues.

The Chinese Government, recognizing that the system of levying *li-kin* and other dues on goods at the place of production, in transit, and at destination, impedes the free circulation of commodities and injures the interests of trade, hereby undertake to discard completely those means of raising revenue with the limitation mentioned in section 8.

Surtax.

The British Government, in return, consent to allow a surtax in excess of the Tariff rates for the time being in force to be imposed on foreign goods imported by British subjects and a surtax in addition to the export duty on Chinese produce destined for export abroad or coastwise.

Non-Revival of Li-kin Barriers, &c. ; Limit of Surtax, &c.

It is clearly understood that, after *li-kin* barriers and other stations for taxing goods in transit have been removed, no attempt shall be made to revive them in any form or under any pretext whatsoever; that in no case shall the surtax on foreign imports exceed the equivalent of one and a-half times the import duty leviable in terms of the Final Protocol signed by China and the Powers on the 7th day of September, 1901 (No. 26); that payment of the import duty and surtax shall secure for foreign imports,

* See Annex B. Article VIII does not come into force until other Powers have signified their acceptance of the engagements set forth therein with regard to the payment of surtaxes, &c. (see Sections 14 and 15).

whether in the hands of Chinese or non-Chinese subjects, in original packages or otherwise, complete immunity from all other taxation, examination or delay; that the total amount of taxation leviable on native produce for export abroad shall, under no circumstances, exceed $7\frac{1}{2}$ per cent. *ad valorem*.

Keeping these fundamental principles steadily in view, the High Contracting Parties have agreed upon the following methods of procedure.

Abolition of Li-kin Barriers, &c., with certain Exceptions.

Section 1.—The Chinese Government undertake that all barriers of whatsoever kind, collecting *li-kin* or such like dues or duties, shall be permanently abolished on all roads, railways, and waterways in the Eighteen Provinces of China and the Three Eastern Provinces. This provision does not apply to the Native Custom-Houses at present in existence on the seaboard or waterways, at open ports, on land routes, and on land frontiers of China.

Special Surtax on Foreign Imported Goods, with Reservations.

Sec. 2.—The British Government agree that foreign goods on importation, in addition to the effective 5 per cent. import duty as provided for in the Protocol of 1901, shall pay a special surtax equivalent to one and a-half times the said duty to compensate for the abolition of *li-kin*, of transit dues in lieu of *li-kin*, and of all other taxation on foreign goods, and in consideration of the other reforms provided for in this Article; but this provision shall not impair the right of China to tax salt, native opium, and native produce as provided for in sections 3, 5, 6, and 8.

The same amount of surtax shall be levied on goods imported into the Eighteen Provinces of China and the Three Eastern Provinces across the land frontiers as on goods entering China by sea.

Native Custom-Houses.

Sec 3.—All Native Custom-Houses now existing, whether at the Open Ports, on the seaboard, on rivers, inland waterways, land routes or land frontiers, as enumerated in the Hu Pu and Kung Pu Tse Li (Regulations of the Boards of Revenue and Works) and Ta Ch'ing Hui Tien (Dynastic Institutes), may remain; a list of the same, with their location, shall be furnished to the British Government for purposes of record.

Wherever there are Imperial Maritime Custom-Houses, or wherever such may be hereafter placed, Native Custom-Houses may be also established; as well as at any points either on the seaboard or land frontiers.

The location of Native Custom-Houses in the Interior may be changed as the circumstances of trade seem to require, but any change must be communicated to the British Government, so that the list may be corrected; the originally stated number of them shall not, however, be exceeded.

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Goods carried by Junks or Sailing Vessels Trading to or from Open Ports.

Goods carried by junks or sailing-vessels trading to or from Open Ports shall not pay lower duties than the combined duties and surtax on similar cargo carried by steamers.

Duty on Native Produce.

Native produce, when transported from one place to another in the Interior, shall, on arrival at the first Native Custom-House after leaving the place of production, pay duty equivalent to the export surtax mentioned in Section 7.

When this duty has been paid, a certificate shall be given which shall describe the nature of the goods, weight, number of packages, &c., amount of duty paid, and intended destination. This certificate, which shall be valid for a fixed period of not less than one year from the date of payment of duty, shall free the goods from all taxation, examination, delay, or stoppage at any other Native Custom-Houses passed *en route*.

If the goods are taken to a place not in the foreign settlements or concessions of an Open Port, for local use, they become there liable to the Consumption Tax described in Section 8.

If the goods are shipped from an Open Port, the certificate is to be accepted by the Custom-House concerned, in lieu of the export surtax mentioned in Section 7.

Limit of Taxation on Junks, Boats, or Carts.

Junks, boats, or carts shall not be subjected to any taxation beyond a small and reasonable charge, paid periodically at a fixed annual rate. This does not exclude the right to levy, as at present, tonnage (Chuan Chao) and port dues (Chuan Liao) on junks.

Foreign Opium Duty and Surtax in lieu of Li-kin.

Sec. 4.—Foreign opium duty and present *li-kin*—which latter will now become a surtax in lieu of *li-kin*—shall remain as provided for by existing Treaties.

Duty on Native Opium.

Sec. 5.—The British Government have no intention whatever of interfering with China's right to tax native opium, but it is essential to declare that, in her arrangements for levying such taxation, China will not subject other goods to taxation, delay, or stoppage.

China is free to retain at important points on the borders of each province—either on land or water—offices for collecting duty on native opium, where duties or contributions leviable shall be paid in one lump sum; which payment shall cover taxation of all kinds within that province. Each cake of opium will have a stamp affixed as evidence of duty payment; Excise officers and

police may be employed in connection with these offices; but no barriers or other obstructions are to be erected, and the Excise officers or police of these offices shall not stop or molest any other kinds of goods, or collect taxes thereon.

A list of these offices shall be drawn up and communicated to the British Government for record.

Duty on Salt.

Sec. 6.—*Li-kin* on salt is hereby abolished and the amount of said *li-kin* and of other taxes and contributions shall be added to the salt duty, which shall be collected at place of production or at first station after entering the province where it is to be consumed.

The Chinese Government shall be at liberty to establish salt reporting offices at which boats conveying salt which is being moved under salt passes or certificates may be required to stop for purposes of examination and to have their certificates *viséd*, but at such offices no *li-kin* or transit taxation shall be levied and no barriers or obstructions of any kind shall be erected.

Export Duties.

Sec. 7.—The Chinese Government may re-cast the Export Tariff* with specific duties as far as practicable, on a scale not exceeding 5 per cent. *ad valorem*; but existing export duties shall not be raised until at least six months' notice has been given.

In cases where existing export duties are above 5 per cent. they shall be reduced to not more than that rate.

An additional special surtax of one-half the export duty payable for the time being, in lieu of internal taxation and *li-kin*, may be levied at time of export on goods exported either to foreign countries or coastwise.

Duty on Silk.

In the case of silk, whether hand or filature reeled, the total export duty shall not exceed a specific rate equivalent to not more than 5 per cent. *ad valorem*. Half of this specific duty may be levied at the first Native Custom-House in the interior which the silk may pass and in such case a certificate shall be given as provided for in Section 3, and will be accepted by the Custom-House concerned at place of export in lieu of half the export duty. Cocoons passing Native Custom-Houses shall be liable to no taxation whatever. Silk not exported but consumed in China is liable to the Consumption Tax mentioned and under conditions mentioned in Section 8.

Consumption Tax on Articles of Chinese Origin not intended for Export.

Sec. 8.—The abolition of the *li-kin* system in China and the abandonment of all other kinds of internal taxation on foreign

* See page 45.

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imports and on exports will diminish the revenue materially. The surtax on foreign imports and exports and on coastwise exports is intended to compensate in a measure for this loss of revenue, but there remains the loss of *li-kin* revenue on internal trade to be met, and it is therefore agreed that the Chinese Government are at liberty to impose a Consumption Tax on articles of Chinese origin not intended for export.

This tax shall be levied only at places of consumption and not on goods while in transit, and the Chinese Government solemnly undertake that the arrangements which they may make for its collection shall in no way interfere with foreign goods or with native goods for export. The fact of goods being of foreign origin shall of itself free them from all taxation, delay, or stoppage, after having passed the Custom-House.

Foreign goods which bear a similarity to native goods shall be furnished by the Custom-House, if required by the owner, with a protective certificate for each package, on payment of import duty and surtax, to prevent the risk of any dispute in the interior.

Native goods brought by junks to Open Ports, if intended for local consumption—irrespective of the nationality of the owner of the goods—shall be reported at the Native Custom-House only, where the Consumption Tax may be levied.

China is at liberty to fix the amount of this (Consumption) tax, which may vary according to the nature of the merchandise concerned, that is to say, according as the articles are necessities of life or luxuries; but it shall be levied at a uniform rate on goods of the same description, no matter whether carried by junk, sailing-vessel, or steamer. As mentioned in Section 3, the Consumption Tax is not to be levied within foreign settlements or concessions.

Excise Duty on Machine-made Yarn and Cloth. Rebate on Raw Cotton.

Sec. 9.—An excise equivalent to double the import duty as laid down in the Protocol of 1901 is to be charged on all machine-made yarn and cloth manufactured in China, whether by foreigners at the Open Ports or by Chinese anywhere in China.

A rebate of the import duty and two-thirds of the Import Surtax is to be given on raw cotton imported from foreign countries, and of all duties, including Consumption Tax, paid on Chinese raw cotton used in mills in China.

Chinese machine-made yarn or cloth having paid excise is to be free of Export Duty, Export Surtax, Coast-Trade Duty, and Consumption Tax. This Excise is to be collected through the Imperial Maritime Customs.

Other Machine-made Products of Foreign Type.

The same principle and procedure are to be applied to all other products of foreign type turned out by machinery,

whether by foreigners at the Open Ports or by Chinese anywhere in China.

Non-application to Government Iron Works, Arsenal, Dock-yards, &c.

This stipulation is not to apply to the out-turn of the Hanyang and Ta Yeh Iron Works in Hupeh and other similar existing Government works at present exempt from taxation; or to that of Arsenal, Government Dockyards, or establishments of that nature for Government purposes which may hereafter be erected.

Supervision of Native Customs Affairs, Consumption Tax, Salt and Native Opium Taxes, by Members of the Maritime Customs Foreign Staff.

Sec. 10.—A member or members of the Imperial Maritime Customs Foreign Staff shall be selected by each of the Governors-General and Governors, and appointed, in consultation with the Inspector-General of Imperial Maritime Customs to each province for duty in connection with Native Customs Affairs, Consumption Tax, Salt and Native Opium Taxes. These officers shall exercise an efficient supervision of the working of these departments, and in the event of their reporting any case of abuse, illegal exaction, obstruction to the movements of goods, or other cause of complaint, the Governor-General or Governor concerned will take immediate steps to put an end to same.

Investigation in Cases of Illegal Action.

Sec. 11.—Cases where illegal action as described in this Article is complained of shall be promptly investigated by an officer of the Chinese Government of sufficiently high rank, in conjunction with a British officer and an officer of the Imperial Maritime Customs, each of sufficient standing; and in the event of its being found by a majority of the investigating officers that the complaint is well founded and loss has been incurred, due compensation is to be at once paid from the Surtax funds, through the Imperial Maritime Customs at the nearest open port. The High Provincial Officials are to be held responsible that the officer guilty of the illegal action shall be severely punished and removed from his post.

If the complaint turns out to be without foundation complainant shall be held responsible for the expenses of the investigation.

His Britannic Majesty's Minister will have the right to demand investigation where from the evidence before him he is satisfied that illegal exactions or obstructions have occurred.

Ch'angsha, Wanhsien, Nganking, Waichow, and Kongmoon to be Opened to Trade.

Sec. 12.—The Chinese Government agree to open to foreign trade, on the same footing as the places opened to foreign trade

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by the Treaties of Nanking and Tientsin, the following places namely:—

Ch'angsha* in Hunan;
Wanhsien in Szechuen;
Nganking† in Anhui;
Waichow (Hui-chow) in Kuangtung; and
Kongmoon‡ (Chiang-mên) in Kuangtung.

Foreigners residing in these Open Ports are to observe the Municipal and Police Regulations on the same footing as Chinese residents, and they are not to be entitled to establish Municipalities and Police of their own within the limits of these Treaty Ports except with the consent of the Chinese authorities.

If this Article does not come into operation the right to demand under it the opening of these ports, with the exception of Kongmoon, which is provided for in Article X, shall lapse.

Conditions and Date on which this Arrangement is to come into force.

Sec. 13.—Subject to the provisions of Section 14, the arrangements provided for in this Article are to come into force on the 1st January, 1904.

By that date all *li-kin* barriers should be removed and officials employed in the collection of taxes and dues prohibited by this Article shall be removed from their posts.

Sec. 14.—The condition on which the Chinese Government enter into the present engagement is that all Powers entitled to most-favoured-nation treatment in China enter into the same engagements as Great Britain with regard to the payment of surtaxes and other obligations imposed by this Article on His Britannic Majesty's Government and subjects.

The conditions on which His Britannic Majesty's Government enter into the present engagement are:—

(1.) That all Powers who are now or who may hereafter become entitled to most-favoured-nation treatment in China enter into the same engagements;

(2.) And that their assent is neither directly or indirectly made dependent on the granting by China of any political concession, or of any exclusive commercial concession.

Sec. 15.—Should the Powers entitled to most-favoured-nation treatment by China have failed to agree to enter into the engagements undertaken by Great Britain under this Article by the 1st January, 1904, then the provisions of the Article shall only come into force when all the Powers have signified their acceptance of these engagements.

Imperial Edict announcing Abolition of Li-kin.

Sec. 16.—When the abolition of *li-kin* and other forms of internal taxation on goods as provided for in this Article has been

* Opened to trade by Japanese Treaty of 8th October, 1903 (No. 66), Article X.

† Anking.

‡ See Article X.

decided upon and sanctioned, an Imperial Edict shall be published in due form on yellow paper and circulated, setting forth the abolition of all *li-kin* taxation, *li-kin* barriers and all descriptions of internal taxation on goods, except as provided for in this Article.

The Edict shall state that the Provincial High Officials are responsible that any official disregarding the letter or spirit of its injunction shall be severely punished and removed from his post.

ARTICLE IX.

Revision of Mining Regulations.

The Chinese Government, recognizing that it is advantageous for the country to develop its mineral resources, and that it is desirable to attract foreign as well as Chinese capital to embark in mining enterprises, agree within one year from the signing of this Treaty to initiate and conclude the revision of the existing Mining Regulations. China will, with all expedition and earnestness, go into the whole question of Mining Rules and, selecting from the Rules of Great Britain, India, and other countries, regulations which seem applicable to the condition of China, she will recast her present Mining Rules in such a way as, while promoting the interests of Chinese subjects and not injuring in any way the sovereign rights of China, shall offer no impediment to the attraction of foreign capital or place foreign capitalists at a greater disadvantage that they would be under generally accepted foreign Regulations.

Any mining concession granted after the publication of these new Rules shall be subject to their provisions.

ARTICLE X.

*New Rules for Navigation of Inland Waters of China.**

Whereas in the year 1898 the Inland Waters of China were opened to all such steam-vessels, native or foreign, as might be especially registered for that trade at the Treaty Ports, and whereas the Regulations dated the 28th July, 1898 (No. 138), and Supplementary Rules dated September, 1898 (No. 140), have been found in some respects inconvenient in working, it is now mutually agreed to amend them and to annex such new Rules* to this Treaty. These Rules shall remain in force until altered by mutual consent.

Opening of Kongmoon. Ports of Call and Passenger Landing Stages.

It is further agreed that Kongmoon shall be opened as a Treaty Port, and that, in addition to the places named in the special Article of the Burmah Convention of the 4th February, 1897,†

* See Annex C. Page 187.

† See page 118.

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British steamers shall be allowed to land or ship cargo and passengers, under the same regulations as apply to the "Ports of Call" on the Yang-tze River, at the following "Ports of Call": Pak Tau Hau (Pai-t'u k'ou), Lo Ting Hau (Lo-ting k'ou), and Do Sing (Tou-ch'eng); and to land or discharge passengers at the following ten passenger landing stages on the West River:—Yung Ki (Jung-chi), Mah Ning (Ma-ning), Kau Kong (Chiu-chiang), Kulow (Ku-lao), Wing On (Yung-an), How Lik (Hou-li), Luk Pu (Lu-pu), Yuet Sing (Yueh-ch'eng), Luk To (Lu-tu), and Fung Chuen (Feng-ch'uan).

ARTICLE XI.

Morphia.

His Britannic Majesty's Government agree to the prohibition of the general importation of morphia into China, on condition, however, that the Chinese Government will allow of its importation, on payment of the Tariff import duty and under special permit, by duly qualified British medical practitioners and for the use of hospitals, or by British chemists and druggists who shall only be permitted to sell it in small quantities and on receipt of a requisition signed by a duly qualified foreign medical practitioner.

The special permits above referred to will be granted to an intending importer on his signing a bond before a British Consul guaranteeing the fulfilment of these conditions. Should an importer be found guilty before a British Consul of a breach of his bond, he will not be entitled to take out another permit. Any British subject importing morphia without a permit shall be liable to have such morphia confiscated.

This Article will come into operation on all other Treaty Powers agreeing to its conditions, but any morphia actually shipped before that date will not be affected by this prohibition.

The Chinese Government, on their side, undertake to adopt measures at once, to prevent the manufacture of morphia in China.

ARTICLE XII.

Reform of Judicial System and Surrender of Extra-territorial Rights.

China having expressed a strong desire to reform her judicial system and to bring it into accord with that of Western nations, Great Britain agrees to give every assistance to such reform, and she will also be prepared to relinquish her extra-territorial rights when she is satisfied that the state of the Chinese laws, the arrangement for their administration, and other considerations warrant her in so doing.

ARTICLE XIII.

Commission to Investigate the Missionary Question.

The missionary question in China being, in the opinion of the Chinese Government, one requiring careful consideration, so that, if possible, troubles such as have occurred in the past may be averted in the future, Great Britain agrees to join in a Commission to investigate this question, and, if possible, to devise means for securing permanent peace between converts and non-converts, should such a Commission be formed by China and the Treaty Powers interested.

ARTICLE XIV.

Prohibition of Port to Port Trade in Rice and Grain in Cases of Famine.

Whereas under Rule V* appended to the Treaty of Tientsin of 1858, British merchants are permitted to export rice and all other grain from one port of China to another under the same conditions in respect of security as copper "cash," it is now agreed that in cases of expected scarcity or famine from whatsoever cause in any district, the Chinese Government shall, on giving twenty-one days' notice, be at liberty to prohibit the shipment of rice and other grain from such district.

Should any vessel specially chartered to load rice or grain previously contracted for, have arrived at her loading port prior to or on the day when a notice of prohibition to export comes into force she shall be allowed an extra week in which to ship her cargo.

If, during the existence of this prohibition, any shipment of rice or grain is allowed by the authorities, the prohibition shall, *ipso facto*, be considered cancelled and shall not be reimposed until six weeks' notice has been given.

When a prohibition is notified, it will be stated whether the Government have any Tribute or Army Rice which they intend to ship during the time of prohibition, and if so, the quantity shall be named.

Such rice shall not be included in the prohibition, and the Customs shall keep a record of any Tribute or Army Rice so shipped or landed.

The Chinese Government undertake that no rice, other than Tribute or Army Rice belonging to the Government, shall be shipped during the period of prohibition.

Notifications of prohibitions, and of the quantities of Army or Tribute Rice for shipment shall be made by the Governors of the provinces concerned.

Similarly, notifications of the removals of prohibitions shall be made by the same authorities.

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[No. 28.]

Export of Rice and Grain Prohibited.

The export of rice and other grain to foreign countries remains prohibited.

ARTICLE XV.

Revision of Tariff after Ten Years.

It is agreed that either of the High Contracting Parties to this Treaty may demand a revision of the Tariff at the end of ten years; but if no demand be made on either side within six months after the end of the first ten years, then the Tariff shall remain in force for ten years more, reckoned from the end of the preceding ten years; and so it shall be at the end of each successive ten years.

Most-favoured-nation Treatment in Respect to Tariff Concessions.

Any Tariff concession which China may hereafter accord to articles of the produce or manufacture of any other State shall immediately be extended to similar articles of the produce or manufacture of His Britannic Majesty's Dominions by whomsoever imported.

Continuance of Existing Treaties.

Treaties already existing between the United Kingdom and China shall continue in force in so far as they are not abrogated or modified by stipulations of the present Treaty.

ARTICLE XVI

English Text to be Authoritative.

The English and Chinese texts of the present Treaty have been carefully compared, but in the event of there being any difference of meaning between them, the sense as expressed in the English text shall be held to be the correct sense.

Ratifications.

The ratifications of this Treaty, under the hand of his Majesty the King of Great Britain and Ireland, and of His Majesty the Emperor of China respectively, shall be exchanged at Peking within a year from this day of signature.

In token whereof the respective Plenipotentiaries have signed and sealed this Treaty, two copies in English and two in Chinese.

Done at Shanghai this 5th day of September in the year of our Lord 1902; corresponding with the Chinese date, the 4th day of the 8th moon of the 28th year of Kwang Hsu.

(L.S.) JAS. L. MACKAY.

[Signature of his Excellency Li Hai-huan.]

[Signature of his Excellency Shêng Hsüan-huai.]

[Seal of the Chinese Plenipotentiaries.]

Annex A (1).

(Translation.)

Lü, President of the Board of Works;
Shêng, Junior Guardian of the Heir-Apparent, Vice-President of the Board of Works;
Imperial Chinese Commissioners, for dealing with questions connected with the Commercial Treaties, to
Sir James Mackay, His Britannic Majesty's Special Commissioner for the discussion of Treaty matters.

Shanghai: K.H., xxviii, 7th moon, 11th day (received August 15, 1902).

We have the honour to inform you that we have received the following telegram from his Excellency Liu, Governor-General of the Liang Chiang, on the subject of Clause 2, mutually agreed upon by us:

"As regards this clause, it is necessary to insert therein a clear stipulation, to the effect that, no matter what changes may take place in the future, all customs duties must continue to be calculated on the basis of the existing higher rate of the Haikwan Tael over the Treasury Tael, and that the 'touch' and weight of the former must be made good."

As we have already arranged with you that a declaration of this kind should be embodied in an official Note, and form an Annex to the present Treaty, for purposes of record, we hereby do ourselves the honour to make this communication.

[Seal of the Imperial Commissioners for dealing with questions connected with Treaty Revision.]

Annex A (2).

Gentlemen,

Shanghai, August 18, 1902.

I have the honour to acknowledge the receipt of your despatch of the 14th instant forwarding copy of a telegram from his Excellency Liu, Governor-General of the Liang Chiang, on the subject of Article II of the new Treaty, and in reply I have the honour to state that his Excellency's understanding of the Article is perfectly correct.

I presume the Chinese Government will make arrangements for the coinage of a national silver coin of such weight and touch as may be decided upon by them. These coins will be made available to the public in return for a quantity of silver bullion of equivalent weight and fineness plus the usual mintage charge.

The coins which will become the national coinage of China will be declared by the Chinese Government to be legal tender in payment of Customs duty and in discharge of obligations contracted in Haikwan taels, but only at their proportionate value to the Haikwan tael, whatever that may be.

I have, &c.,
JAS. L. MACKAY.

Their Excellencies

Lü Hai-huan and Shêng Hsüan-huai,
&c. &c. &c.

Annex B (1).

(Translation)

Lü, President of the Board of Works;
Shêng, Junior Guardian of the Heir-Apparent, Vice-President of the Board of Works;
Imperial Chinese Commissioners for dealing with questions connected with the Commercial Treaties, to
Sir James L. Mackay, His Britannic Majesty's Special Commissioner.

Shanghai, September 2, 1902.

We have the honour to inform you that on the 22nd August, we, in conjunction with the Governors-General of the Liang Chiang and the Hu-kuang Provinces, their Excellencies Liu and Chang, addressed the following telegraphic Memorial to the Throne:--

Sept. 8, 1902.]

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[No. 28.]

Shanghai.

[Commerce, &c.]

"Of the revenue of the different Provinces derived from *li-kia* of all kinds, a portion is appropriated for the service of the foreign loans, a portion for the Peking Government, and the balance is reserved for the local expenditure of the Provinces concerned.

"In the negotiations now being conducted with Great Britain for the amendment of the Commercial Treaties, a mutual arrangement has been come to providing for the imposition of additional taxes, in compensation for the abolition of all kinds of *li-kia* and other imposts on goods, prohibited by Article VIII. After payment of interest and sinking fund on the existing foreign loan, to the extent to which *li-kia* is thereto pledged, these additional taxes shall be allocated to the various Provinces to make up deficiencies and replace revenue, in order that no hardships may be entailed on them. With a view to preserving the original intention underlying the proposal to increase the duties in compensation for the loss of revenue derived from *li-kia* and other imposts on goods, it is further stipulated that the surtaxes shall not be appropriated for other purposes, shall not form part of the Imperial Maritime Customs revenue proper, and shall in no case be pledged as security for any new foreign loan.

"It is therefore necessary to memorialize for the issue of an Edict, giving effect to the above stipulations and directing the Board of Revenue to find out what proportion of the provincial revenues derived from *li-kia* of all kinds, now about to be abolished, each Province has hitherto had to remit, and what proportion it has been entitled to retain, so that, when the Article comes into operation, due apportionment may be made accordingly, thus providing the Provinces with funds available for local expenditure, and displaying equitable and just treatment towards all."

On the 1st instant an Imperial Decree "Let action, as requested, be taken," was issued, and we now do ourselves the honour reverently to transcribe the same for your information.

[Seal of the Imperial Commissioners for dealing with questions connected with Treaty Revision.]

Annex B (2).

Gentlemen,

Shanghai, September 5/11, 1902.

I have the honour to acknowledge the receipt of your despatch of the 2nd instant forwarding the text of the Memorial and Decree dealing with the disposal of the surtaxes.

I understand that the surtaxes in addition to not being pledged for any new foreign loan are not to be pledged to, or held to be security for, liabilities already contracted by China except in so far as *li-kia* revenue has already been pledged to an existing loan.

I also understand from the Memorial that the whole of the surtaxes provided by Article VIII of the New Treaty goes to the Provinces in proportions to be agreed upon between them and the Board of Revenue, but that out of these surtaxes each Province is obliged to remit to Peking the same contribution as that which it has hitherto remitted out of its *li-kia* collections, and that the Provinces also provide as hitherto out of these surtax funds whatever may be necessary for the service of the foreign loan to which *li-kia* is partly pledged.

I hope your Excellencies will send me a reply to this despatch and that you will agree to this correspondence forming part of the Treaty as an Annex.

I have, &c.,

JAS. L. MACKAY.

Their Excellencies

Lü Hai-huan and Shêng Hsian-huai,
&c. &c. &c.

Annex B (3).

(Translation.)

Lü, President of the Board of Works;
Shêng, Junior Guardian of the Heir-Apparent, Vice-President of the Board of Works;
Imperial Chinese Commissioners for dealing with questions connected with the Commercial Treaties, to
Sir James L. Mackay, His Britannic Majesty's Special Commissioner.

Shanghai, September 5th, 1902.

We have the honour to acknowledge the receipt of your communication of to-day's date with regard to the allocation of the surtax funds allotted to the Provinces, and to inform you that the views therein expressed are the same as our own.

We would, however, wish to point out that, were the whole amount of the allocation due paid over to the Provinces, unnecessary expense would be incurred in the re-transmission by them of such portions thereof as would have to be remitted to Peking in place of the contributions hitherto payable out of *li-kia* revenue. The amount, therefore, of the allocation due to the Provinces, arranged between them and the Board of Revenue, will be retained in the hands of the Maritime Customs, who will await the instructions of the Provinces in regard to the remittance of such portion thereof as may be necessary to fulfil their obligations, and (on receipt of these instructions) will send forward the amount direct. The balance will be held to the order of the Provinces.

In so far as *li-kia* is pledged to the service of the 1898 Loan, a similar method of procedure will be adopted.

As you request that this correspondence be annexed to the Treaty, we have the honour to state that we see no objection to this being done.

[Seal of the Imperial Commissioners for dealing with questions connected with Treaty Revision.]

Annex C.

INLAND WATERS STEAM NAVIGATION.

Additional Rules.

1.—British steamship owners are at liberty to lease warehouses and jetties on the banks of waterways from Chinese subjects for a term not exceeding twenty-five years, with option of renewal on terms to be mutually arranged. In cases where British merchants are unable to secure warehouses and jetties from Chinese subjects on satisfactory terms, the local officials, after consultation with the Minister of Commerce, shall arrange to provide these on renewable lease as above mentioned at current equitable rates.

2.—Jetties shall only be erected in such positions that they will not obstruct the inland waterway or interfere with navigation, and with the sanction of the nearest Commissioner of Customs; such sanction, however, shall not be arbitrarily withheld.

3.—British merchants shall pay taxes and contributions on these warehouses and jetties on the same footing as Chinese proprietors of similar properties in the neighbourhood. British merchants may only employ Chinese agents and staff to reside in warehouses so leased at places touched at by steamers engaged in inland traffic to carry on their business; but British merchants may visit these places from time to time to look after their affairs. The existing rights of Chinese jurisdiction over Chinese subjects shall not by reason of this clause be diminished or interfered with in any way.

4.—Steam vessels navigating the inland waterways of China shall be responsible for loss caused to riparian proprietors by damage which they may do to the banks or works on them and for the loss which may be caused by such damage. In the event of China desiring to prohibit the use of some particular shallow waterway by launches, because there is reason to fear that the use of it by them would be likely to injure the banks and cause damage to the adjoining country, the British authorities, when appealed to, shall, if satisfied of the validity of the objection,

Sept. 5, 1902.]

GREAT BRITAIN AND CHINA.

[No. 28.]

Shanghai.

[Commerce, &c.]

prohibit the use of that waterway by British launches, provided that Chinese launches are also prohibited from using it.

Both Foreign and Chinese launches are prohibited from crossing dams and weirs at present in existence on inland waterways where they are likely to cause injury to such works, which would be detrimental to the water service of the local people.

5.—The main object of the British Government in desiring to see the inland waterways of China opened to steam navigation being to afford facilities for the rapid transport of both foreign and native merchandise, they undertake to offer no impediment to the transfer to a Chinese Company and the Chinese flag of any British Steamer which may now or hereafter be employed on the inland waters of China, should the owner be willing to make the transfer.

In event of a Chinese company registered under Chinese law being formed to run steamers on the inland waters of China the fact of British subjects holding shares in such a company shall not entitle the steamers to fly the British flag.

6.—Registered steamers and their tows are forbidden, just as junks have always been forbidden, to carry contraband goods. Infraction of this rule will entail the penalties prescribed in the Treaties for such an offence, and cancellation of the Inland Waters Navigation Certificate carried by the vessels, which will be prohibited from thereafter plying on inland waters.

7.—As it is desirable that the people living inland should be disturbed as little as possible by the advent of steam vessels to which they are not accustomed, inland waters not hitherto frequented by steamers shall be opened as gradually as may be convenient to merchants and only as the owners of steamers may see prospect of remunerative trade.

In cases where it is intended to run steam vessels on waterways on which such vessels have not hitherto run, intimation shall be made to the Commissioner of Customs at the nearest open port who shall report the matter to the Ministers of Commerce. The latter, in conjunction with the Governor-General or Governor of the Province, after careful consideration of all the circumstances of the case, shall at once give their approval.

8.—A registered steamer may ply within the waters of a port, or from one open port or ports to another open port or ports, or from one open port or ports to places inland, and thence back to such port or ports. She may, on making due report to the Customs, land or ship passengers or cargo at any recognized places of trade passed in the course of the voyage; but may not ply between inland places exclusively except with the consent of the Chinese Government.

9.—Any cargo and passenger boats may be towed by steamers. The helmsman and crew of any boat towed shall be Chinese. All boats, irrespective of ownership, must be registered before they can proceed inland.

10.—These Rules are supplementary to the Inland Steam Navigation Regulations of July and September, 1898 (Nos. 138 and 140). The latter, where untouched by the present Rules, remain in full force and effect; but the present Rules hold in the case of such of the former Regulations as the present Rules affect. The present Rules, and the Regulations of July and September, 1898, to which they are supplementary, are provisional, and may be modified, as circumstances require, by mutual consent.

Done at Shanghai this 5th day of September in the year of our Lord 1902; corresponding with the Chinese date, the 4th day of the 8th moon of the 28th year of Kwang Hsu.

(L.S.) JAS. L. MACKAY.

[Signature of his Excellency Li Hai-huan.]

[Signature of his Excellency Sheng Hsian-huai.]

[Seal of the Chinese Plenipotentiaries.]

(No. 29.) *CONVENTION between Great Britain and China
respecting the Employment of Chinese Labour in British Colonies
and Protectorates.* Signed at London, 13th May, 1904.*

[Signed also in Chinese.]

WHEREAS a Convention between Her Majesty Queen Victoria and His Majesty the Emperor of China was signed at Peking on the 24th October, 1860 (No. 8), by Article V of which His Imperial Majesty the Emperor of China consented to allow Chinese subjects, wishing to take service in British Colonies or other parts beyond the seas, to enter into engagements with British subjects, and to ship themselves and their families on board of British vessels at the open ports of China in conformity with Regulations to be drawn up between the two Governments for the protection of such emigrants;

And whereas the aforesaid Regulations have not hitherto been framed, His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of China have accordingly appointed the following as their respective Plenipotentiaries, that is to say:—

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, His Majesty's Principal Secretary of State for Foreign Affairs; and

His Majesty the Emperor of China, Chang Têh-Yih, Brevet Lieutenant-General of the Chinese Imperial Forces, His Imperial Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

And the said Plenipotentiaries having met and communicated to each other their respective full powers, and found them in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Notification to be made on each Occasion.

As the Regulations to be framed under the above-mentioned Treaty were intended to be of a general character, it is hereby agreed that on each occasion when indentured emigrants are required for a particular British Colony or Protectorate beyond the seas, His Britannic Majesty's Minister in Peking shall notify the Chinese Government, stating the name of the particular Colony or Protectorate for which the emigrants are required, the name of the Treaty Port at which it is intended to embark them,

* Parliamentary Paper, Treaty Series, No. 7 (1904).

[Chinese Labour in British Colonies, &c.]

and the terms and conditions on which they are to be engaged; the Chinese Government shall thereupon, without requiring further formalities, immediately instruct the local authorities at the specified Treaty Port to take all the steps necessary to facilitate emigration. The notification herein referred to shall only be required once in the case of each Colony or Protectorate, except when emigration under indenture to that Colony or Protectorate from the specified Treaty Port has not taken place during the preceding three years.

ARTICLE II.

Appointment of Chinese Inspector. Publication of Indenture, &c.

On receipt of the instructions above referred to, the Taotai at the port shall at once appoint an officer, to be called the Chinese Inspector, who, together with the British Consular Officer at the port, or his Delegate, shall make known by Proclamation and by means of the native press the text of the Indenture which the emigrant will have to sign, and any particulars of which the Chinese officer considers it essential that the emigrant shall be informed, respecting the country to which the emigrant is to proceed, and respecting its laws.

ARTICLE III.

Emigration Agency.

The British Consular Officer at the port, or his Delegate, shall confer with the Chinese Inspector as to the location and installation of the offices and other necessary buildings, hereinafter called the Emigration Agency, which shall be erected or fitted up by the British Government, and at their expense, for the purpose of carrying on the business of the engagement and shipment of the emigrants, and in which the Chinese Inspector and his staff shall have suitable accommodation for carrying on their duties.

ARTICLE IV.

Register of intended Emigrants. Medical Inspection. Signature of Indenture, &c.

1. There shall be posted up in conspicuous places throughout the Emigration Agency, and more especially in that part of it called the Dépôt, destined for the reception of intending emigrants, copies of the Indenture to be entered into with the emigrant, drawn up in the Chinese and English languages, together with copies of the special Ordinance, if any, relating to immigration into the particular Colony or Protectorate for which the emigrants are required.

2. There shall be kept a Register in English and in Chinese, in which the names of intending indentured emigrants shall be inscribed, and in this Register there shall not be inscribed the

name of any person who is under 20 years of age, unless he shall have produced proof of his having obtained the consent of his parents or other lawful guardians to emigrate, or, in default of these, of the Magistrate of the district to which he belongs. After signature of the Indenture according to the Chinese manner, the emigrant shall not be permitted to leave the Depot, previously to his embarkation, without a pass signed by the Chinese Inspector, and countersigned by the British Consular Officer or his Delegate, unless he shall have, through the Chinese Inspector, renounced his agreement and withdrawn his name from the register of emigrants.

3. Before the sailing of the ship each emigrant shall be carefully examined by a qualified Medical Officer nominated by the British Consular Officer or his Delegate. The emigrants shall be paraded before the British Consular Officer or his Delegate and the Chinese Inspector or his Delegate, and questioned with a view to ascertain their perfect understanding of the Indenture.

ARTICLE V.

Vessels Conveying Emigrants.

All ships employed in the conveyance of indentured emigrants from China under this Convention shall engage and embark them only at a Treaty Port, and shall comply with the Regulations contained in the Schedule hereto annexed and forming part of the Convention.

ARTICLE VI.*

Appointment of Chinese Consuls.

For the better protection of the emigrant, and of any other Chinese subject who may happen to be residing in the Colony or Protectorate to which the emigration is to take place, it shall be competent to the Emperor of China to appoint a Consul or Vice-Consul to watch over their interests and well-being, and such Consul or Vice-Consul shall have all the rights and privileges accorded to the Consuls of other nations.

ARTICLE VII.

Indenture to specify Conditions of Engagement.

Every Indenture entered into under the present Articles shall clearly specify the name of the country for which the labourer is required, the duration of the engagement, and, if renewable, on what terms, the number of hours of labour per working day, the nature of the work, the rate of wages and mode of payment, the rations, clothing, the grant of a free passage out, and where such is provided for therein; a free passage back to the port of embarkation in China for himself and family, right to free medical

* See Annex.

attendance and medicines, whether in the Colony or Protectorate or on the voyage from and to the port of embarkation in China, and any other advantages to which the emigrant shall be entitled. The Indenture may also provide that the emigrant shall, if considered necessary by the medical authorities, be vaccinated on his arrival at the Dépôt, and, in the event of such vaccination being unsuccessful, revaccinated on board ship.

ARTICLE VIII.

Signature and Explanation of Indenture.

The Indenture shall be signed, or in cases of illiteracy marked, by the emigrant after the Chinese manner, in the presence of the Chinese Inspector or his Delegate and of the British Consular Officer or his Delegate, who shall be responsible to their respective Governments for its provisions having been clearly and fully explained to the emigrant previous to signature. To each emigrant there shall be presented a copy of the Indenture drawn up in Chinese and English. Such Indenture shall not be considered as definitive or irrevocable until after the embarkation of the emigrant.

ARTICLE IX.

Free Access for Emigrant to Courts of Justice.

In every British Colony or Protectorate to which indentured Chinese emigrants proceed, an officer or officers shall be appointed, whose duty it shall be to insure that the emigrant shall have free access to the Courts of Justice to obtain the redress for injuries to his person and property which is secured to all persons, irrespective of race, by the local law.

ARTICLE X.

Postal Facilities for Emigrant.

During the sojourn of the emigrant in the Colony or Protectorate in which he is employed, all possible postal facilities shall be afforded to him for communicating with his native country, and for making remittances to his family.

ARTICLE XI.

Repatriation.

With regard to the repatriation of the emigrant and his family, whether on the expiration of the Indenture or from any legal cause, or in the event of his having been invalidated from sickness or disablement, it is understood that this shall always be to the port of shipment in China, and that in no case shall it take place by any other means than actual conveyance by ship, and payment of money to the returning emigrant in lieu of passage shall not be admissible.

ARTICLE XII.

Transfer of Emigrant from one Employer to Another.

Nothing in any Indenture framed under these Articles shall constitute on the part of the employer a right to transfer the emigrant to another employer of labour without the emigrant's free consent and the approval of his Consul or Vice-Consul; and should any such transfer or assignment take place, it shall not in any way invalidate any of the rights or privileges of the emigrant under the Indenture.

ARTICLE XIII.

Fee Payable to Chinese Government.

It is agreed that a fee on each indentured emigrant shipped under the terms of this Convention shall be paid to the Chinese Government for expenses of inspection, but no payment of any kind shall be made to the Chinese Inspector or any other official of the Chinese Government at the port of embarkation. The above fee shall be paid into the Customs bank previous to the clearance of the ship, and shall be calculated at the following rate:—3 Mexican dollars per head for any number of emigrants not exceeding 10,000, and two dollars per head for any number in excess thereof, provided they are shipped at the same Treaty Port, and that not more than twelve months have elapsed since the date of the last shipment.

Should the port of embarkation have been changed, or a space of more than twelve months have elapsed since the date of the last shipment, inspection charges shall be paid as in the first instance.

ARTICLE XIV.

English Text to be Authoritative.

The English and Chinese text of the present Convention have been carefully prepared, but in the event of there being any difference of meaning between them, the sense as expressed in the English text shall be held to be the correct sense.

ARTICLE XV.

Duration of Convention.

The present Convention shall come into force on the date of its signature and remain in force for four years from that date, and after such period of four years it shall be terminable by either of the High Contracting Parties on giving one year's notice.

In witness whereof the Plenipotentiaries have signed the present Convention, and have affixed thereto their seals.

Done at London in four copies, two in English and two in Chinese, this 13th day of May of the year 1904.

(L.S.) LANSDOWNE.
(L.S.) T. Y. CHANG.

SCHEDULE.

Regulations.

SHIPS employed in the transport of indentured emigrants from China under this Convention must be seaworthy, clean, and properly ventilated, and, with regard to the following matters, shall comply with conditions as far as possible equivalent to those in force in British India with reference to the emigration of natives from India :—

Accommodation required on board (*vide* section 57 of "The Indian Emigration Act, 1883").*

Sleeping accommodation, consisting of wooden sheathing to the decks or sleeping platforms (*vide* rule regarding "iron decks," as amended the 10th August, 1902, in Schedule "A" to the rules under "The Indian Emigration Act, 1883").

Rules as to space on board (*vide* section 53 of "The Indian Emigration Act, 1883").

Carriage of qualified surgeon, with necessary medical stores.

Storage of drinking water (*vide* rule 113, as amended the 24th February, 1903, under "The Indian Emigration Act, 1883").

Provision of adequate distilling apparatus (*vide* Schedule "C" to the rules under "The Indian Emigration Act, 1883").

The dietary for each indentured emigrant on board ship shall be as follows per day :—

	Not less than
Rice, not less than 1½ lb., or flour or bread stuffs	.... 1½ lb.
Fish (dried or salt) or meat (fresh or preserved)....	.... 0½ "
Fresh vegetables of suitable kinds	.... 1½ "
Salt	.... 1 oz.
Sugar	.... 1½ "
Chinese tea	.... 0½ "
Chinese condiments in sufficient qualities.	
Water, for drinking and cooking	.... 1 gallon.

or such other articles of food as may be substituted for any of the articles enumerated in the foregoing scale as being in the opinion of the doctor on board equivalent thereto.

ANNEX.

Exchange of Notes respecting the Appointment of Chinese Consuls in British Colonies and Protectorates, under Article VI of the Convention of May 13, 1904.

(1).—*The Marquess of Lansdowne to Chang Ta-Jén.*

Sir, *Foreign Office, May 13, 1904.*

By Article VI of the Convention about to be concluded between Great Britain and China with regard to Chinese subjects leaving the Treaty Ports of China under Indenture for service in British Colonies or Protectorates it is provided that :—

"For the better protection of the emigrant and of any other Chinese subject who may happen to be residing in the Colony or Protectorate to which the emigration is to take place, it shall be competent to the Emperor of China to appoint a Consul or Vice-Consul to watch over their interests and well-being, and such Consul or Vice-Consul shall have all the rights and privileges accorded to the Consuls of other nations."

* See "Hertael's Commercial Treaties," Vol. 17, page 781.

[Chinese and Burmese Telegraph Lines.]

His Majesty's Government consider it specially important that the persons appointed to occupy, for the purpose named, the position of Consul or Vice-Consul should be experienced officers of Chinese nationality, that they should be exclusively in the service of the Emperor of China, and that in each case the name of the person selected should be communicated to His Majesty's Government, and their agreement to the appointment obtained.

I have the honour to inquire whether the Chinese Government are prepared to meet the wishes of His Majesty's Government in the matter. If so, and if you will inform me accordingly, this note and your reply might be attached to the Convention in order to place on formal record the arrangement concluded.

I have, &c.

LANSDOWNE.

(2).—*Chang Ta-Jén to the Marquess of Lansdowne.*

My Lord Marquess, *Chinese Legation, May 13, 1904.*

IN reply to your Lordship's note of this date, I have the honour to state that the Chinese Government are in entire accord with His Britannic Majesty's Government as to the great importance they attach to the Consuls and Vice-Consuls to be appointed under Article VI of the Convention about to be concluded between the two Governments being men of great experience, and will consider it a duty which they owe to the emigrant to confine the selection of these officers to such as in all respects conform to the requirements specified in the note above referred to, which, together with the present one, it has been mutually agreed shall, in proof of this understanding, be appended to the said Convention.

I have, &c.

T. Y. CHANG.

(No. 30.) *CONVENTION between Great Britain and China respecting the Junction of the Chinese and Burmese Telegraph Lines.* Signed at Peking, 23rd May, 1905.*

[Signed also in Chinese.]

ARTICLE I.

THE Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India, and the Government of His Majesty the Emperor of China with a view to facilitating international telegraphic communication, have resolved to revise the existing agreement (No. 21) regarding the exchange of telegraphic correspondence over the lines of the two States on the frontier of Burma and Yünnan.

* Parliamentary Paper. Treaty Series, No. 22 (1905). This Convention is a revision of the Convention of 6th September, 1894 (No. 21).

ARTICLE II.

The junction on the frontier remains as hitherto between the British Station at Bhamo and the Chinese Station at Tengyueh (Momein), and an intermediate station will continue to be maintained at Manwyne.

ARTICLE III.

The Indian and Chinese Administrations shall maintain in good condition the line of connection, and shall exchange the correspondence by wire between the two stations named in Article II, or between any other two stations hereafter mutually agreed upon.

Each of the Contracting Parties shall bear the expense incurred for these purposes on its own territory, and will take care that the boundaries between the territories of the two Governments are scrupulously respected.

ARTICLE IV.

The rules laid down in the Service Regulations of the International Telegraph Convention shall be observed with regard to the technical treatment of telegrams transmitted over the line of connection described in Article II.

When the senders of telegrams do not expressly indicate the route by which they wish their telegrams to be forwarded, it is understood that at lower rates all limitrophe correspondence and at equal rates half the limitrophe correspondence shall be forwarded *via* the line of connection described in Article II, provided that the alternative routes are in equally good working order.

ARTICLE V.

Each of the Contracting Parties fixes the charges for transmission of telegrams by its lines up to the frontier of its own territory.

ARTICLE VI.

The following charges per word are declared for correspondence exchanged *via* the line of communication described in Article II:—

I. INDIAN TELEGRAPH ADMINISTRATION.

A. Terminal Charges.

*For Telegrams exchanged with Places in China.**

	France.
1. From Stations in Burma to the Chinese frontier	0.10
2. From Stations in India to the Chinese frontier	0.25
3. From Stations in Ceylon to the Chinese frontier	0.45

*For Telegrams exchanged with Places beyond China.**

4. *From Stations in Burma to the Chinese frontier	0.575
5. *From Stations in India to the Chinese frontier	0.825
6. *From Stations in Ceylon to the Chinese frontier	0.940

* Additions made, by arrangement with the Chinese Government, in 1907.

[Chinese and Burmese Telegraph Lines.]

B. *Transit Charges.*

Between the Chinese-Burmese frontier and all other
frontiers

Francs.

0.35

II. CHINA.

A. *Terminal Charges.*

1. For telegrams exchanged with Europe and countries beyond Europe (except America) 3.36
2. For telegrams exchanged with America.... 4.86
3. For telegrams exchanged between all other countries on the one side and stations on the Yang-tze or South of the Yang-tze on the other side 1.00
4. For telegrams exchanged between all other countries on the one side and stations situated to the North of the Yang-tze 1.50
- 5.—(a.) For telegrams exchanged between Burma, India, and Ceylon on the one side and the province of Yunnan on the other side 0.50
- (b.) For *bond fide* British and Chinese Government telegrams between Burma, India and Ceylon on the one side and the province of Yunnan on the other side 0.25

B. *Transit Charges.*

1. For telegrams exchanged between Europe and countries beyond Europe (except America) on the one side and all countries beyond China on the other side 3.36
2. For telegrams exchanged between America on the one side and all countries beyond China on the other side 4.86
3. For all other telegrams between the Burmese-Chinese frontier and
 - (a.) Shanghai or frontier stations South of the Yang-tze 1.25
 - (b.) All other frontiers 1.50

The charges established for telegrams exchanged between China on the one side, and Burma, India, and Ceylon on the other side, are solely for correspondence actually exchanged between the named neighbouring countries, and the Chinese European and American correspondence cannot be re-telegraphed at these rates by private agencies or persons at intermediate stations.

If during the course of operation of this Convention the rates of China or of the Telegraph Companies operating in China be diminished for telegrams exchanged by the whole of China, including Hong Kong, with Europe and the countries beyond Europe, China undertakes simultaneously and in the same proportion to lower her present terminal and transit rates for such telegrams on their transmission along the Burma-Yunnan line.

ARTICLE VII.

The checking of the amount of correspondence exchanged *via* the line of connection shall take place daily by wire between the stations named in Article II.

May 23, 1905.]

GREAT BRITAIN AND CHINA.

[No. 30.]

[Chinese and Burmese Telegraph Lines.]

The settlement of accounts shall take place at the end of each month and the resulting balance shall be paid one month after the end of the month in account to the Indian Telegraph Administration at Calcutta or to the Chinese Telegraph Administration at Shanghai.

The month shall be reckoned according to the European Calendar. Telegrams referring to the settlement of accounts shall be considered as service telegrams and transmitted free of charge.

ARTICLE VIII.

The collection of the charges at all the stations of the Chinese Telegraph Administration, according to the rates fixed in Article VI of the present Convention in gold francs, as well as the liquidation of the mutual accounts, shall be made in Mexican dollars according to the actual rate of exchange between this coin and the franc.

This rate of exchange shall be agreed upon between the Telegraph Administrations of the contracting Governments during the month preceding each quarter on the basis of the average rate of exchange during the three months preceding that during which the rate is fixed.

As regards outpayments to Telegraph Administrations beyond China and India the Chinese and Indian Telegraph Administrations will communicate to each other their amount and this amount the two Administrations will be at liberty to collect and settle at such rates as may protect them from loss.

ARTICLE IX.

The present Convention shall come into force on the 1st day of June, 1905, and shall, unless otherwise mutually agreed upon, remain in force for ten years and thereafter until twelve months after one of the Contracting Parties shall have given notice of its intention to modify or to abrogate it.

In witness whereof the Undersigned duly authorized to this effect have signed the present Convention.

Done at Peking in the English language and in the Chinese language. Three expeditions duly compared and found to be in agreement have been signed in each of these languages on the 23rd day of the month of May, 1905, corresponding with the 20th day of the 4th moon of the 31st year of the reign of Kuang Hsi.

(L.S.) ERNEST SATOW. [Signature and Seal of the
Chinese Plenipotentiary.]

(No. 31.) *AGREEMENT between China and the Powers Signatories of the Final Protocol of 7th September, 1901, respecting the Whangpoo Conservancy. Signed at Peking, 27th September, 1905.*

Le Gouvernement Chinois étant désireux de substituer aux dispositions du Protocole de 1901 (No. 26), visant l'institution d'un Conseil Fluvial pour la Rivière Whangpou et les attributions et ressources de ce Conseil, un *modus procedendi* nouveau, en faisant exécuter lui-même les travaux et en prenant à sa charge la totalité des dépenses, et les Puissances signataires du Protocole Final ayant souscrit à ce désir, il a été convenu des conditions énoncées ci-après :—

ARTICLE I.

Le Taotai des Douanes et le Commissaire des Douanes de Shanghai sont chargés de la direction générale des travaux de rectification du cours du Whangpou et d'amélioration de la barre en deça et au delà de Wousung, ainsi que de leur entretien.

Pour la police fluviale et sanitaire, l'éclairage et balisage, le service de pilotage, &c., il sera procédé suivant les anciens Règlements.

ARTICLE II.

Trois mois après la signature du présent Accord la Chine fera elle-même choix d'un ingénieur versé dans les questions du travaux fluviaux, et si la majorité des Représentants des Puissances signataires du Protocole Final estime que l'ingénieur ainsi choisi possède les qualités requises, la Chine le désignera sur-le-champ pour entreprendre les travaux.

Dans le cas où, après le commencement des travaux, il y aurait lieu, pour des raisons jugées valables par la majorité des Ministres intéressés, de procéder à son remplacement, le choix et la désignation du nouvel ingénieur s'effectueront dans les mêmes conditions que ci-dessus.

ARTICLE III.

Pour tous les contrats d'entreprise générale ou partielle des travaux fluviaux, d'achat de matériel ou de machine, &c., il sera procédé par voie de soumission publique, l'adjudication devant être faite au soumissionnaire offrant les conditions les plus avantageuses.

ARTICLE IV.

Tous les trois mois un rapport détaillé sur les travaux exécutés et un état des dépenses effectuées seront établis et adressés pour examen au Corps Consulaire à Shanghai.

ARTICLE V.

L'autorisation du Taotai et du Commissaire des Douanes de Shanghai sera nécessaire pour la construction de quais et de jetées, ainsi que pour l'établissement de tous pontons ou maisons flottantes dans la rivière.

ARTICLE VI.

Le Taotai et le Commissaire des Douanes de Shanghai auront le droit d'exproprier les appareils de mouillage fixes existants, et d'établir un système d'appareils de mouillage publics dans la rivière.

ARTICLE VII.

L'autorisation du Taotai et du Commissaire des Douanes sera nécessaire pour l'exécution des travaux de dragage et autres.

ARTICLE VIII.

Le Taotai et le Commissaire des Douanes auront le droit d'acquérir tous terrains situés en dehors des Concessions étrangères, nécessaires à l'exécution des travaux d'amélioration et de conservation du Whangpou, et de disposer des dits terrains. Si, dans cet ordre d'idées, il était jugé utile d'exproprier des terrains, et si ces terrains étaient la propriété d'étrangers, le prix sera fixé par une Commission composée de—

1. Une personne choisie par l'autorité Consulaire, dont le propriétaire est ressortissant;

2. Une autre choisie par le Taotai et le Commissaire des Douanes;

3. Une autre choisie par le doyen du Corps Consulaire.

Si le doyen du Corps Consulaire se trouvait être le Consul du propriétaire, le troisième membre de la Commission serait choisi par le Consul le plus ancien après le doyen. Le Consul de qui ressortira l'intéressé devra assurer l'exécution de la décision arbitrale. S'il s'agissait de propriétés Chinoises, la Douane procéderait à l'estimation et fixation du prix et à l'exécution de la décision dans des conditions analogues.

Les propriétaires riverains, tant Chinois qu'étrangers, auront un droit de préférence pour l'achat ou la prise à bail de tout terrain créé en avant de leurs propriétés par les assèchements effectués pour l'amélioration de la voie fluviale. Les prix d'acquisition de ces terrains seront fixés par une Commission constituée ainsi qu'il est prescrit au paragraphe précédent ou suivant le cas par l'autorité Douanière.

ARTICLE IX.

Le Gouvernement Chinois prend à sa charge la totalité des dépenses des travaux fluviaux sans percevoir aucune taxe ou contribution sur les terrains riverains ni sur le trafic des marchandises ou la navigation.

ARTICLE X.

La Chine indique et donne, comme garantie de la totalité des dépenses des travaux, les droits entiers sur l'opium de Ssetchouan et de Ssutcheoufou au Kiangsou. Conformément aux prévisions du Protocole de 1901, elle consacrera à ces travaux annuellement, et pendant vingt ans, une somme de 460,000 Haikouan taels. Si, dans le courant d'une année quelconque après le commencement des travaux, les achats de matériel ou de machines, &c., nécessitent une dépense exceptionnelle, la Chine, pour y faire face, pourra contracter un emprunt au moyen de bons gages sur le revenu des droits sur l'opium précités. Pour l'amortissement et le service des intérêts de cet emprunt, ainsi que pour les dépenses de toute nature afférentes à l'exécution des travaux ou à l'entretien des travaux déjà terminés, la Chine fournira annuellement un minimum de 460,000 Haikouan taels. Les autorités provinciales compétentes remettront cette somme, par versements mensuels égaux, entre les mains du Taotai et du Commissaire des Douanes de Shanghai.

Si les revenus désignés devenaient insuffisants, le Gouvernement Chinois devra fournir la somme spécifiée sur d'autres ressources.

ARTICLE XI.

Si les travaux n'étaient pas effectués avec diligence, soin, et économie, le Corps Consulaire, sur une décision prise à la majorité des votes, pourra signaler le fait au Taotai et au Commissaire des Douanes de Shanghai, et leur demander de prescrire à l'ingénieur de prendre les mesures nécessaires pour y remédier; si l'exécution des travaux continue à être défectueuse, le Corps Consulaire pourra de même recommander le renvoi de l'ingénieur ainsi que le choix et la désignation d'un autre, dans les conditions prévues à l'Article II. Dans le cas où le Taotai et le Commissaire des Douanes de Shanghai ne tiendraient pas compte de ces démarches, le Corps Consulaire pourra saisir de la question les Représentants des Puissances intéressées.

ARTICLE XII.

Lorsque les présentes stipulations auront été discutées, arrêtées, et signées, les stipulations contenues dans le paragraphe (b)* de l'Article XI, et dans l'Annexe 17† du Protocole de 1901, seront suspendues; mais si la Chine ne fournit pas annuellement les fonds suffisants, conformément au nouvel Accord, de telle manière que l'exécution des travaux s'en trouve entravée, ou si elle omet de se conformer à quelque autre stipulation essentielle du présent Arrangement, les stipulations primitives du Protocole de 1901 et de l'Annexe 17 reprendront immédiatement leur force.

[Here follow the Signatures.]

* See page 130.

† See page 143.

[Tibet.]

(No. 32.) *CONVENTION between Great Britain and China respecting Tibet.* Signed at Peking, 27th April, 1906.*

(*To which is annexed the Convention between the United Kingdom and Tibet,* signed at Lhasa, 7th September, 1904.*)

[Signed also in Chinese.]

[Ratifications exchanged at London, July 23, 1906.]

WHEREAS His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of China are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires;

And whereas the refusal of Tibet to recognise the validity of or to carry into full effect the provisions of the Anglo-Chinese Convention of March 17, 1890 (No. 17), and Regulations of December 5th, 1893 (No. 19), placed the British Government under the necessity of taking steps to secure their rights and interests under the said Convention and Regulations;

And whereas a Convention of ten articles was signed at Lhasa on September 7th, 1904,† on behalf of Great Britain and Tibet, and was ratified by the Viceroy and Governor-General of India on behalf of Great Britain on November 11th, 1904,‡ a declaration on behalf of Great Britain modifying its terms under certain conditions being appended thereto;

His Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have for this purpose named Plenipotentiaries, that is to say:—

His Majesty the King of Great Britain and Ireland:

Sir Ernest Mason Satow, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, His said Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China;

and His Majesty the Emperor of China:

His Excellency Tong Shoa-yi, His said Majesty's High Commissioner Plenipotentiary and a Vice-President of the Board of Foreign Affairs;

who having communicated to each other their respective full powers and finding them to be in good and true form have agreed upon and concluded the following Convention in six articles:—

ARTICLE I.

Confirmation of Convention of 7th September, 1904, between Great Britain and Tibet.

The Convention concluded on September 7th, 1904, by Great Britain and Tibet, the texts of which in English and Chinese are

* Parliamentary Paper, Treaty Series No. 9 (1906). See also Convention (No. 121), and Exchange of Notes (No. 122), between Great Britain and Russia, 31st August, 1907.

† See page 204.

‡ See page 206.

[Tibet.]

attached to the present Convention as an annex, is hereby confirmed, subject to the modification stated in the declaration appended thereto, and both of the High Contracting Parties engage to take at all times such steps as may be necessary to secure the due fulfilment of the terms specified therein.

ARTICLE II.

Integrity of Tibetan Territory. Administration. Non-interference of any Foreign State.

The Government of Great Britain engages not to annex Tibetan territory or to interfere in the administration of Tibet. The Government of China also undertakes not to permit any other foreign State to interfere with the territory or internal administration of Tibet.

ARTICLE III.

Concessions granted by Tibet are denied to any other State but China. Telegraph.

The concessions which are mentioned in Article 9 (d) of the Convention concluded on September 7th, 1904, by Great Britain and Tibet are denied to any state or to the subject of any state other than China, but it has been arranged with China that at the trade marts specified in Article 2 of the aforesaid Convention Great Britain shall be entitled to lay down telegraph lines connecting with India.

ARTICLE IV.

Continuance of Anglo-Chinese Convention of 1890, and Regulations of 1893.

The provisions of the Anglo-Chinese Convention of 1890 (No. 17) and Regulations of 1893 (No. 19) shall, subject to the terms of this present Convention and annex thereto, remain in full force.

ARTICLE V.

English Text of Convention to be Authoritative.

The English and Chinese texts of the present Convention have been carefully compared and found to correspond, but in the event of there being any difference of meaning between them the English text shall be authoritative.

ARTICLE VI.

Ratifications.

This Convention shall be ratified by the Sovereigns of both countries, and ratifications shall be exchanged at London within three months after the date of signature by the Plenipotentiaries of both Powers.

[Tibet.]

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, four copies in English and four in Chinese.

Done at Peking this 27th day of April, 1906, being the 4th day of the 4th month of the 32nd year of the reign of Kuang-hsü.

(L.S.) ERNEST SATOW.

[Signature and Seal of the Chinese Plenipotentiary.]

ANNEX.

Convention between the Government of Great Britain and Tibet signed at Lhasa on the 7th September, 1904.*

Declaration signed by His Excellency the Viceroy and Governor-General of India on behalf of the British Government and appended to the ratified Convention of the 7th September, 1904.

Convention between the Governments of Great Britain and Tibet.

[Signed also in Chinese.]

Whereas doubts and difficulties have arisen as to the meaning and validity of the Anglo-Chinese Convention of 1890 (No. 17), and the Trade Regulations of 1893 (No. 19), and as to the liabilities of the Tibetan Government under these agreements; and Whereas recent occurrences have tended towards a disturbance of the relations of friendship and good understanding which have existed between the British Government and the Government of Tibet; and Whereas it is desirable to restore peace and amicable relations, and to resolve and determine the doubts and difficulties as aforesaid, the said Governments have resolved to conclude a Convention with these objects, and the following articles have been agreed upon by Colonel F. E. Younghusband, C.I.E., in virtue of full powers vested in him by His Britannic Majesty's Government and on behalf of that said Government, and Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries, Se-ra, Dre-pung and Ga-den, and of the ecclesiastical and lay officials of the National Assembly on behalf of the Government of Tibet.

I.

Anglo-Chinese Convention of 1890, and Sikkim-Tibet Frontier.

The Government of Tibet engages to respect the Anglo-Chinese Convention of 1890 (No. 17), and to recognise the frontier between Sikkim and Tibet, as defined in Article I of the said Convention, and to erect boundary pillars accordingly.

* See also Convention (No. 121), and Exchange of Notes (No. 122), between Great Britain and Russia, 31st August, 1907.

II.*

Opening of Trade Marts at Gyantse and Gartok.

The Tibetan Government undertakes to open forthwith trade marts, to which all British and Tibetan subjects shall have free right of access at Gyantse and Gartok, as well as at Yatung.

Application of Regulations of 1893.

The Regulations applicable to the trade mart at Yatung, under the Anglo-Chinese Agreement of 1893 (No. 19), shall, subject to such amendments as may hereafter be agreed upon by common consent between the British and Tibetan Governments, apply to the marts above mentioned.

No Restrictions on Trade by existing Routes. Opening of fresh Trade Marts.

In addition to establishing trade marts at the places mentioned, the Tibetan Government undertakes to place no restrictions on the trade by existing routes, and to consider the question of establishing fresh trade marts under similar conditions if development of trade requires it.

III.

Amendment of Regulations of 1893.

The question of the amendment of the Regulations of 1893 is reserved for separate consideration, and the Tibetan Government undertakes to appoint fully authorized delegates to negotiate with representatives of the British Government as to the details of the amendments required.

IV.

Tariff.

The Tibetan Government undertakes to levy no dues of any kind other than those provided for in the tariff to be mutually agreed upon.

V.

Upkeep of Trade Roads. Appointment of Agents at Trade Marts. Transmission of Correspondence.

The Tibetan Government undertakes to keep the roads to Gyantse and Gartok from the frontier clear of all obstruction and in a state of repair suited to the needs of the trade, and to establish at Yatung, Gyantse, and Gartok, and at each of the other trade marts that may hereafter be established, a Tibetan Agent who shall receive from the British Agent appointed to watch over British trade at the marts in question any letter which the latter may desire to send to the Tibetan or to the Chinese authorities. The Tibetan Agent shall also be responsible for the due delivery of such communications and for the transmission of replies.

* See Declaration of 11th November, 1904, page 208.

[Tibet.]

VI.*

Indemnity for Expenses of British Expedition to Lhasa.

As an indemnity to the British Government for the expense incurred in the despatch of armed troops to Lhasa, to exact reparation for breaches of treaty obligations, and for the insults offered to and attacks upon the British Commissioner and his following and escort, the Tibetan Government engages to pay a sum of pounds five hundred thousand—equivalent to rupees seventy-five lakhs—to the British Government.

Mode of Payment of Indemnity.

The indemnity shall be payable at such place as the British Government may from time to time, after due notice, indicate whether in Tibet or in the British districts of Darjeeling or Jalpaiguri, in seventy-five annual instalments of rupees one lakh each on the 1st January in each year, beginning from the 1st January, 1906.

VII.*

Occupation by Great Britain of the Chumbi Valley as Security.

As security for the payment of the above-mentioned indemnity, and for the fulfilment of the provisions relative to trade marts specified in Articles II, III, IV, and V, the British Government shall continue to occupy the Chumbi valley until the indemnity has been paid and until the trade marts have been effectively opened for three years, whichever date may be the later.

VIII.

Razing of Fortifications. Free Communication between British Frontier and Gyantse and Lhasa.

The Tibetan Government agrees to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gyantse and Lhasa.

IX.

The Government of Tibet engages that, without the previous consent of the British Government—

Non-cession, &c., of Tibetan Territory to any Foreign Power.

(a) no portion of Tibetan territory shall be ceded, sold, leased, mortgaged, or otherwise given for occupation, to any Foreign Power;

Non-intervention of any Foreign Power in Tibetan Affairs.

(b) no such Power shall be permitted to intervene in Tibetan affairs;

No Representatives, or Agents, of any Foreign Power to be admitted.

(c) no Representatives or Agents of any Foreign Power shall be admitted to Tibet;

* See Declaration of 11th November, 1904, page 206, and foot-note on page 632.

[Tibet.]

Concessions.

(d) no concessions for railways, roads, telegraphs, mining or other rights, shall be granted to any Foreign Power, or to the subject of any Foreign Power. In the event of consent to such concessions being granted, similar or equivalent concessions shall be granted to the British Government;

Tibetan Revenues not to be Pledged.

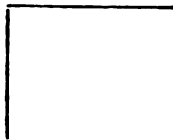
(e) no Tibetan revenues, whether in kind or in cash, shall be pledged or assigned to any Foreign Power, or to the subject of any Foreign Power.

X.

In witness whereof the negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quintuplicate at Lhasa, this 7th day of September in the year of our Lord 1904, corresponding with the Tibetan date, the 27th day of the 7th month of the Wood Dragon year.

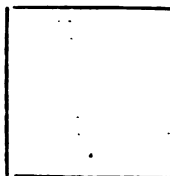
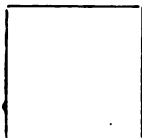
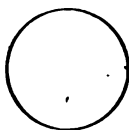
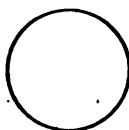
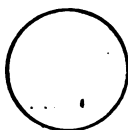
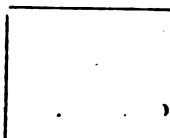
Tibet Frontier.



Commission.

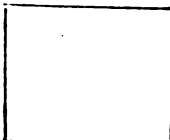
Seal of British
Commissioner.

F. E. YOUNGHUSBAND, Col.
British Commissioner.

Seal of the Dalai
Lama, affixed
by the Ga-den
Ti-Rimpoche.Seal of
Council.Seal of the
Dre-pung
Monastery.Seal of Sera
Monastery.Seal of
Ga-den
Monastery.Seal of National
Assembly.

In proceeding to the signature of the Convention, dated this day, the representatives of Great Britain and Tibet declare that the English text shall be binding.

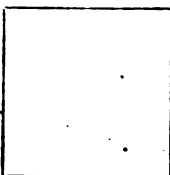
Tibet Frontier



Commission.

Seal of British
Commissioner.

F. E. YOUNGHUSBAND, Col.
British Commissioner.

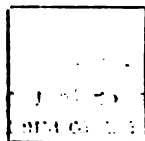
Seal of the Dalai
Lama, affixed
by the Ga-den
Ti-Rimpoche.

April 27, 1903.]

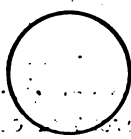
GREAT BRITAIN AND CHINA.

[No. 32.]

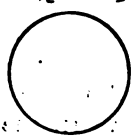
[Tibet.]



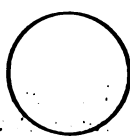
Seal of the Council.



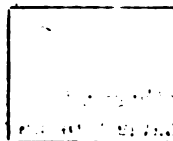
Seal of the Drepung Monastery.



Seal of the Sera Monastery.



Seal of the Ga-den Monastery.



Seal of the National Assembly.

AMPTHILL

Viceroy and Governor-General of India.

This Convention was ratified by the Viceroy and Governor-General of India in Council at Simla on the 11th day of November, A.D., 1904.

S. M. FRASER.

*Secretary to the Government of India,
Foreign Department.*

Declaration signed by his Excellency the Viceroy and Governor-General of India and appended to the ratified Convention of 7th September, 1904.*

His Excellency the Viceroy and Governor-General of India, having ratified the Convention which was concluded at Lhasa on 7th September, 1904,† by Colonel Younghusband, C.I.E., British Commissioner for Tibet Frontier Matters, on behalf of His Britannic Majesty's Government; and by Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Sera, Drepung, and Ga-den, and of the ecclesiastical and lay officials of the National Assembly, on behalf of the Government of Tibet, is pleased to direct as an act of grace that the sum of money which the Tibetan Government have bound themselves under the terms of Article VI of the said Convention to pay to His Majesty's Government as an indemnity for the expenses incurred by the latter in connection with the despatch of armed forces to Lhasa, be reduced from Rs. 75,00,000 to Rs. 25,00,000; and to declare that the British occupation of the Chumbi valley shall cease after the due payment of three annual instalments of the said indemnity as fixed by the said Article, provided, however, that the trade marts as stipulated in Article II of the Convention shall have been effectively opened for three years as provided in Article VI‡ (sic) of the Convention; and that, in the meantime, the Tibetans shall have faithfully complied with the terms of the said Convention in all other respects.

AMPTHILL.

Viceroy and Governor-General of India.

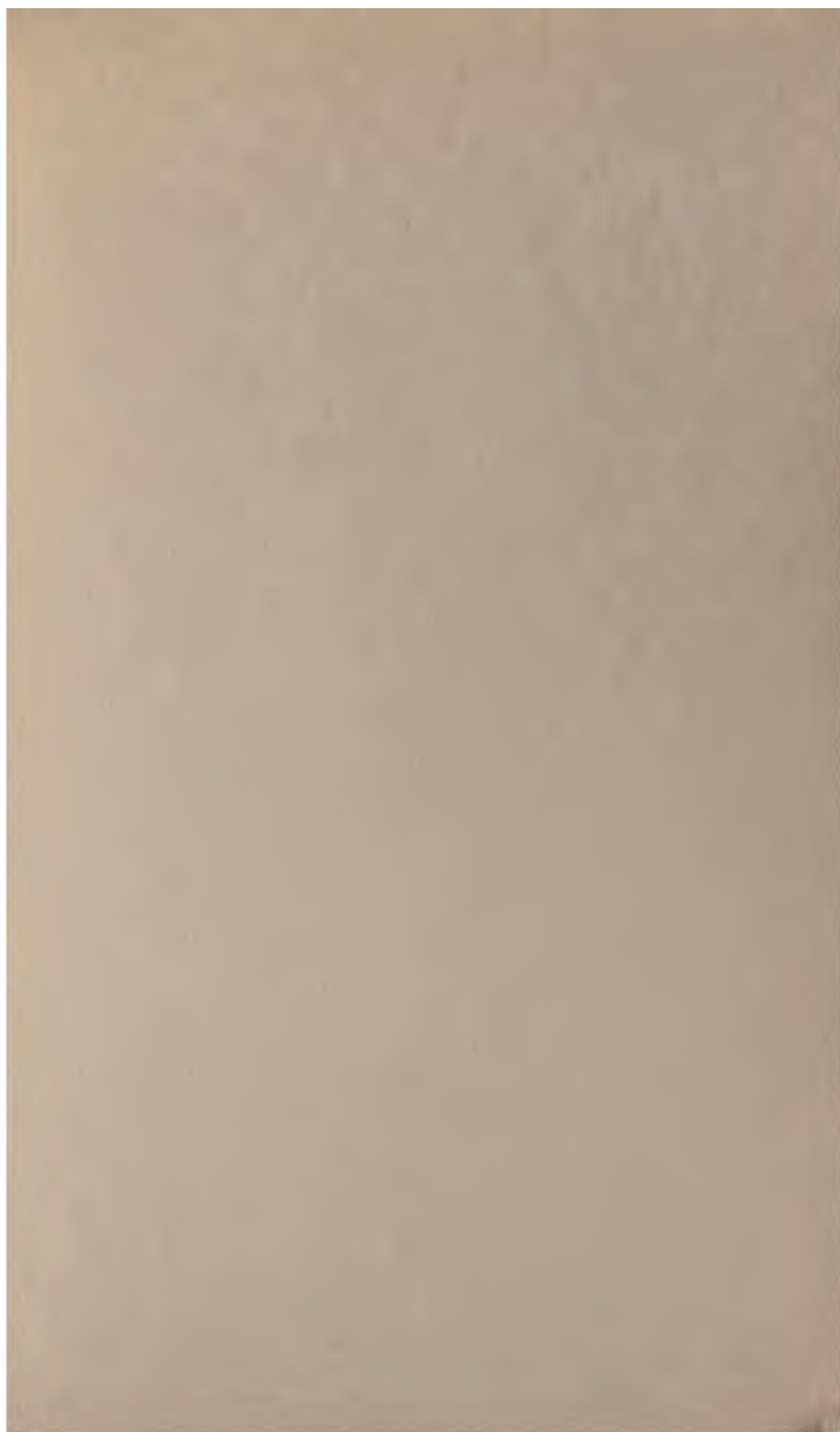
This declaration was signed by the Viceroy and Governor-General of India in Council at Simla on the 11th day of November, A.D., 1904.

S. M. FRASER.

*Secretary to the Government of India,
Foreign Department.*

* See Annex to Convention between Great Britain and Russia, 31st August, 1907. (No. 121), and foot-note. Page 622. † See page 204. ‡ Should be Article VII.



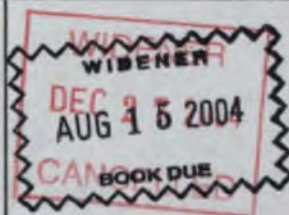




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